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Fall 1987

Everett Carll Ladd — Party Reform and the Public Interest

Mark Silverstein
Benjamin Ginsberg — The Supreme Court and the New Politics of Judicial Power

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Political Science Quarterly

Volume 102
Number 3
Fall 1987

Contents

Party Reform and the Public Interest — Everett Carll Ladd — 355

The Supreme Court and the New Politics of Judicial Power — Mark Silverstein, Benjamin Ginsberg — 371

Expanding Social Benefits: The Role of Social Security — G. John Ikenberry, Theda Skocpol — 389

Soviet Policy and the Arab-Israeli Conflict: Actions, Patterns, and Interpretations — Richard Herrmann — 417

Restructuring Canada's Defense Contribution: A Possible Key to Western Security — Steven L. Canby, Jean Edward Smith — 441

Entering the Atomic Power Race: Science, Industry, and Government — Rebecca S. Lowen — 459

SDI and the Dynamics of Strategic Uncertainty — Robert H. Gromoll — 481

Book Reviews — 501

Reference Books and Source Materials Received — 547

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ELECTRONIC REPRODUCTION PROHIBITED

Book Reviews

Charles, Nuclear Planning in NATO: Pitfalls of First Use — George H. Quester 501

Hanlon, Beggar Your Neighbours: Apartheid Power in Southern Africa — Crawford Young 502

Szulc, Fidel: A Critical Portrait — Scott C. Monje 504

Edwards, Henkin and **Nathan,** Human Rights in Contemporary China — Lucian W. Pye 506

Nathan, Chinese Democracy — Joel Glassman 507

Fairbank, The Great Chinese Revolution 1800–1985 — Joyce K. Kallgren 508

Daalder, The SDI Challenge to Europe — Jerome Slater 510

Whelan and **Dixon,** The Soviet Union in the Third World: Threat to World Peace? — Raymond L. Garthoff 511

Sundquist, Constitutional Reform and Effective Government — Paul S. Sarbanes 513

Lee and **McKenzie,** Regulating Government: The Positive-Sum Solution — Eugene Bardach 514

Kahn and **Kamerman,** Child Care: Facing the Hard Choices — Frank J. Macchiarola 516

Mansbridge, Why We Lost the ERA — Roberta S. Sigel 517

Taylor, Public Opinion & Collective Action: The Boston School Desegregation Conflict — John T. Tierney 518

Bremner, Reichard and **Hopkins,** eds., American Choices: Social Dilemmas and Public Policy Since 1960 — Hugh Heclo 520

Estreicher and **Sexton,** Redefining the Supreme Court's Role: A Theory of Managing the Federal Judicial Process — John R. Schmidhauser 521

Riker, The Art of Political Manipulation — David L. Garth 522

Hilsman, The Politics of Policy Makng in Defense and Foreign Affairs: Conceptual Models and Bureaucratic Politics — Graham T. Allison 524

Taitte, ed., A Melting Pot or a Nation of Minorities — Moses Rischin 525

Gilboa, American Public Opinion toward Israel and the Arab-Israeli Conflict — Leonard W. Doob 526

Epstein, Takings: Private Property and the Power of Eminent Domain — David Adamany 528

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ELECTRONIC REPRODUCTION PROHIBITED

Robyn, Braking the Special Interests: Trucking Deregulation and the Politics of Policy Reform — Susan Rose-Ackerman — 530

Campbell, Managing the Presidency: Carter, Reagan and the Search for Executive Harmony — Richard M. Pious — 531

Burk, Dwight D. Eisenhower: Hero and Politician — Richard H. Immerman — 532

Beckwith, American Women and Political Participation: The Impacts of Work, Generation, and Feminism — Virginia Sapiro — 534

Morgan, The Flacks of Washington: Government Information and the Public Agenda — Dan Nimmo — 535

Katzmann, Institutional Disability: The Saga of Transportation Policy for the Disabled — Ronald F. Kirby — 536

Gregor, The China Connection: U.S. Policy and the People's Republic of China — Warren I. Cohen — 538

Havens, Fire Across the Sea: The Vietnam War and Japan, 1965–1975 — Nathaniel B. Thayer — 540

Nishihara, East Asian Security and the Trilateral Countries: A Report to the Trilateral Commission — Douglas Stuart — 541

Kuper, The Prevention of Genocide — William Korey — 542

Boggs, Social Movements and Political Power: Emerging Forms of Radicalism in the West — Mark Kesselman — 544

Black, Sentinels of Empire: The United States and Latin American Militarism — Dain Borges — 545

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ELECTRONIC REPRODUCTION PROHIBITED

From the Editor:

In this issue . . .

EVERETT CARLL LADD examines the calls sounded over the past century for reform of the United States system of parties and elections. He concludes that—putting aside the obvious practical difficulties in changing the system substantially—the intellectual case for reform simply has not been made persuasively.

MARK SILVERSTEIN and BENJAMIN GINSBERG analyze changes in judicial policy over the past three decades. They argue that during this period the United States Supreme Court dramatically increased both its capacity to influence national policy and its independence from presidential control.

G. JOHN IKENBERRY and THEDA SKOCPOL trace the origins and trajectory of American provision for social problems. They explore the manner in which policy ideas and public social benefits have changed over time and explain why "social security" has been the main carrier of expansion in coverage and benefits.

RICHARD HERRMANN discusses the difficulties of interpreting Soviet policy in the Arab-Israeli conflict. He looks at past behavior and compares Soviet approaches with those of the United States and several Arab countries. After reviewing American policy of trying to exclude the Soviet Union from settlement talks, Herrmann argues that American policy should more actively test Soviet intentions.

STEVEN CANBY and JEAN EDWARD SMITH focus on Canada's slim military contribution to NATO. They suggest that an enhanced Canadian presence in the Central Front in Germany may provide the keystone for a credible conventional defense strategy in Europe.

REBECCA S. LOWEN traces the development of the nuclear power industry in the 1950s, arguing that neither a shortage of conventional fuel nor the enthusiasm of scientists for this new source of power explains the industry's emergence. She shows that international political concerns of Congress and the President spurred the building of the first nuclear power plants in the U.S.

ROBERT H. GROMOLL considers the likely impact of enhanced strategic uncertainty under ballistic missile defenses contemplated in SDI. He contends such defenses would multiply conceivable U.S.-Soviet strategic relationships, creating some possibilities for greater stability, but even more possibilities for instability.

DEMETRIOS CARALEY

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Party Reform and the Public Interest

EVERETT CARLL LADD

The way the United States chooses its political leadership—especially the way it picks its presidents—the condition of its political parties, and the parties' place in the governing process have long been the object of critical attention. Arguments on the imperative of "reform" are being raised today much as they have been over the past century. Is the American system of parties and elections in fact failing the country? Does this system need fixing to enable it to better advance what are variously called common, public, and national interests?

Serving the National Interest

Before exploring this question, I should note that American political science has had a terrible time grappling with the idea of the public interest. Glendon Schubert argued in a 1960 study that the concept "makes no operational sense, notwithstanding the efforts of a generation of capable scholars . . . . Political scientists might better spend their time nurturing concepts that offer greater promise of becoming useful tools in the scientific study of political responsibility."[1] Frank Sorauf nominated the term "public interest" as a leading candidate for inclusion in "a list of ambiguous words and phrases 'which never would be missed'."[2] Robert

[1] Glendon Schubert, *The Public Interest* (New York: Free Press, 1960), 224.

[2] Frank Sorauf, "The Conceptual Muddle" in Carl J. Friedrich, ed., *The Public Interest* (New York: Atherton Press, 1962), 190.

EVERETT CARLL LADD is professor of political science at the University of Connecticut and executive director and president of the Roper Center for Public Opinion Research. He is the author of numerous books and articles on American political life, including *Ideology in America, American Political Parties, Transformations of the American Party System*, 2d. ed. rev. (with Charles Hadley), and *The American Polity*, 2d. ed. rev. An earlier version of this article appeared in *Elections American Style* edited by A. James Reichley and published by the Brookings Institution.

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Dahl and Charles Lindblom have insisted that in most instances the meaning of the national or public interest is "left totally undefined . . . . Often enough a precise examination would show that it can mean nothing more than whatever happens to be the speaker's own view as to a desirable public policy."[3] According to Howard Reiter, radical political scientists (in whose company he places himself), "argue that in any society dominated by class interests, like the United States, there can be no general interest that unites all classes, and the concept of a 'public interest' is a sham intended to fool the lower classes into supporting the interests of the upper classes."[4]

Other scholars have found the concept of public or national interests highly meaningful, of course, and I put myself in their ranks.[5] In discussing their political aspirations most people seem to find the concept natural and essential. Probably this is because, as Daniel Bell and Irving Kristol argued in introducing their magazine, *The Public Interest*, "there has never been a society which was not, in some way, and to some extent guided by this ideal . . . ."[6]

I content myself with a few basic distinctions. Most people seem able to distinguish between interests that are broadly shared and those that are quite narrow. Obtaining a system that provides high quality public education on its face reflects a broader constellation of interests than does a special tax write-off for Uptight Motors, Inc. Furthermore, some interests are fundamental and enduring; pursuit of immediate goals that threaten basic long-term objectives is counter to the national interest. For Americans, their national interest includes their country's security and the maintenance of an environment conducive to national hopes for the extension of liberty and democracy around the world. It includes, too, a healthy, growing economy that extends economic opportunity. And surely, most Americans see it in the national interest that successful popular governance be obtained. Does the American party and electoral system do as much as any other we can specify to serve such broad, enduring ends? Or does it sacrifice them by being too responsive to claims that are narrow, particularistic, special, short-sighted and short-term?

The Case That the System Provides Government Too Inattentive to the National Interest

Specific criticisms of the parties and the electoral system for insufficiently serving the pursuit of broad public interests cannot really be separated from more general criticisms of the entire American system of widely dispersed and decentralized

[3] Robert A. Dahl and Charles E. Lindblom, *Politics, Economics and Welfare* (New York: Harper, 1963), 501.

[4] Howard L. Reiter, *Parties and Elections in Corporate America* (New York: St. Martins Press, 1987), 63.

[5] See, among recent writers, Virginia Held, *The Public Interest and Individual Interests* (New York: Basic Books, 1970); and Richard E. Flathman, *The Public Interest: An Essay Concerning the Normative Discourse of Politics* (New York: John Wiley, 1966).

[6] Daniel Bell and Irving Kristol, "What is the Public Interest?" *The Public Interest* 1 (Fall 1965): 5.

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governmental authority. Most arguments that have been advanced throughout this century for strengthening political parties in their control over nominations and the policy process stem from one underlying assumption: the separation of powers and all its ramifications—whether seen as a serious deficiency that must be lived with or as an overall strength that has its downside—need mitigation through the intermediary of relatively disciplined and integrated parties.

In *Congressional Government*, first published in 1885, Woodrow Wilson stated forcefully the argument that the American system and its extreme dispersion of authority frustrate the achievement of national interests. "As at present constituted," he wrote, "the federal government lacks strength because its powers are divided, lacks promptness because its authorities are multiplied, lacks wieldiness because its processes are roundabout, lacks efficiency because its responsibility is indistinct and its actions without competent direction . . . . Nobody stands sponsor for the policy of the government. A dozen men originate it; a dozen compromises twist and alter it; a dozen offices whose names are scarcely known outside of Washington put it into execution."[7]

In this view, the system hampers pursuit of the national interest first by making it virtually impossible for government to frame the kind of coherent, integrated approaches to complex policies that are required. The policy incoherence bred of separation of powers was one thing in 1793, when the federal government did very little and could take a long time doing it. It was already something quite different, Wilson thought, by the late nineteenth century when, he observed, "the sphere and influence of national administration and national legislation are widening rapidly . . . . and populations . . . growing at such a rate that one's reckoning staggers at counting . . . ."[8] Wilson was then a strong advocate of responsible party leadership and an admirer of the British system of cabinet government. He stopped short of advocating its application in America as a remedy for the ills he observed, but throughout *Congressional Government* he lamented the weakness of the American "committee system of government" with its ineffectual parties and extolled the virtues of the British parliamentary system with its disciplined parties and responsible ministries.

Wilson's early advocacy of responsible party government was modified considerably by the turn of the century. In writing the preface of the fifteenth printing of *Congressional Government* in 1900 he argued that the nation's plunge into international politics had produced "greatly increased power and opportunity for constructive statesmanship given the President . . . . [and that as a result] the Executive . . . will have very far-reaching effect upon our whole method of government." Those views were fully developed in *Constitutional Government*, first published in 1908.[9] Wilson did not, of course, abandon his commitment to the goal

[7] Woodrow Wilson, *Congressional Government: A Study in American Politics* (Baltimore: Johns Hopkins University Press, 1981), 206-07.

[8] Ibid., 206.

[9] Woodrow Wilson, *Constitutional Government in the United States* (New York: Columbia University Press, 1908).

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of more coherent national leadership. Presidential leadership would replace party leadership in linking all the power centers of our constitutionally separated government.

The prevailing view in American political science since World War II has been that presidential leadership is insufficient in the absence of disciplined parties. In 1950, for example, the Committee on Political Parties of the American Political Science Association (APSA) issued its call for a system of stronger parties able to meet the national need "for more effective formulation of general policies and programs and for better integration of all of the far-flung activities of modern government.[10]

The American system's dispersion of authority has often been faulted for retarding political accountability and popular control. Giving the public effective means of control over a big, complex government is difficult—yet a vital national interest in any country that takes democracy seriously. A century ago, Wilson lamented that "the average citizen may be excused for esteeming government at best but a haphazard affair upon which his vote and all his influence can have but little effect. How is his choice of a representative in Congress to affect the policy of the country as regards the questions in which he is most interested . . . ? It seems almost a thing of despair to get any assurance that any vote he may cast will even in an infinitesimal degree affect the essential course of administration . . . ."[11]

Contemporary American political science for the most part sees the strengthening of parties as essential for extending popular control over government and insuring greater responsiveness of public institutions to popular wishes. Only strong parties can so organize issues that the public can speak effectively on them. If they make elected officials in some sense collectively, rather than individually, responsible to the electorate, parties greatly expand the public's capacity to reward and punish.

Similarly, stronger and more disciplined parties have been seen as an important potential antidote—though one very difficult to come by—to extreme congressional individualism and the opening it offers the swarm of special interests. The 1950 APSA report made this case. "The value of special-interest groups in a diversified society . . . should be obvious," its authors argued. "But organized interest groups cannot do the job of the parties. Indeed, it is only when a working formula of the public interest in its general character is made manifest by the parties in terms of coherent programs that the claims of interest groups can be adjusted on the basis of political responsibility . . . . It must be obvious . . . that the whole development [the proliferation of interest groups and the extension of their sway] makes necessary a reinforced party system that can cope with the multiplied organized pressure."[12]

[10] American Political Science Association, "Toward a More Responsible Two-Party System," A Report of the Committee on Political Parties, *The American Political Science Review* 44 (September 1950).

[11] Wilson, *Congressional Government*, 331-02.

[12] American Political Science Association, "Toward a More Responsible Two-Party System," 19.

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Strong parties are needed to curb special-interest influence by forcing these interests "to pick on people their own size"—through requiring that they take their case to central party leadership that is charged with balancing a great variety of conflicting demands. Strong parties are also needed to help the underorganized many have their proper say in competition with the highly organized few. E. E. Schattschneider gave classic statement to the argument that the system of organized special interests has a pronounced bias in favor of the well-heeled and otherwise well-positioned: "The flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-classs accent."[13]

An Impressive if Incomplete Analysis

If one stays within the body of theory and political argument I have been reviewing, one is hard put to quarrel with it. Surely, the American governmental system, built upon federalism and separation of powers, does greatly divide and disperse political authority. Indeed, in the parliamentary sense of the term, the United States really does not have a *government* at all: The president has significant authority, of course, but he and his executive subordinates are rightly called the *administration*, not the *government*; Congress's role is so great that it would have to be part of the government for there to be a government. In our dispersed and decentralized scheme, barriers aplenty are erected to coherent, centrally-developed policies. And interest groups are indeed presented with multiple points of access at all levels. The system is very messy, and presidents invariably find it frustrating.

The American governmental order has dictated a special type of party system. Given federalism, the parties historically were organized on state lines, and even when individual state parties were robust and disciplined, the national party system remained fragmented. Given separation of powers, the case for party discipline evident in parliamentary systems could never be made, and party factions were given a variety of bases from which to maintain their independence. Given the extreme individualism that has always distinguished American political culture, claims for greater collective party authority have rarely struck a responsive chord among the public; and succeeding waves of "reform" have had the principal result of further extending political individualism. The reforms of the 1960s and early 1970s in Congress, for example, left individual members more advantaged than they had been vis-à-vis more central elements of House and Senate leadership.

All in all, today's parties-elections system does not reduce the effects of the constitutionally dictated separation of powers: rather it reflects them, and in so doing, in a very real sense magnifies them. American political parties are not well equipped at all for developing comprehensive policy positions, presenting them to the electorate, and seeing them through into legislated programs that might be voted up or down in the next election.

[13] E. E. Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (New York: Holt, Rinehart, and Winston, 1960), 35.

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The Case that the Proposed Changes Would Not in Fact Advance the Public Interest

No one who pays close attention to politics would reject out of hand every call for change in our parties and elections system. I do maintain, however, that the more substantial changes that have been proposed fail to show real promise of making things better by such national-interest standards as more responsive democratic government and wiser long-term policies. I should acknowledge that my current judgment in this regard differs to some extent from that of times past. I have always been skeptical about claims that changes proposed for one area or another of the parties and elections system should be readily recognized as reforms. Often the changes have not in fact made things better, and within a few years of their enactment the cry has been raised loudly that the reforms must themselves be reformed. The literature on past reforms is filled with references to unforeseen and unintended consequences. Nonetheless, I did at one time accept much of the argument that stronger parties would likely advance the public interest. At one time, too, I could not resist the enthusiasm that afflicted so many others for seeking ways to improve the presidential nomination process. I offered my own elegant blueprint for change, which included a bigger role for party and elected officials, in conjunction with a single, nationwide presidential primary.[14] While I remain comfortable with much of the earlier analysis, I think I yielded too readily to the underlying notion that successful institutional tinkering is easily conceived.

Tinkering

Proposed changes occupy different levels of reach or comprehensiveness. Some are potentially far-reaching, such as arguments for strengthening the national parties. Others are much more limited, such as proposals for altering the schedule of presidential primaries. My concern with the latter sort of proposals is in part the familiar one about unintended consequences—that they in fact often result in two steps forward and two steps backward, or sometimes two-and-a-half steps back. They advocate change that has merit but also disadvantages.

The continuing discussion of the scheduling of presidential primaries is a good case in point. Concern has been voiced about the implications of small states (Iowa and New Hampshire) leading the parade of caucuses and primaries and permitting their Republican and Democratic electorates, which are far from national microcosms, to receive undue weight. Intense press coverage of these early contests is followed by the obligatory *Time* and *Newsweek* cover photos of "the big winners." Infinite effort goes into establishing the "expected" showing for each candidate, which is then set against actual achievement to determine the "real" victor. In 1968 Lyndon Johnson got a majority of the Democratic vote in the New Hampshire primary, but Eugene McCarthy was seen doing better than expected

[14] Everett Ladd, "A Better Way to Pick Our Presidents," *Fortune*, 5 May 1980, 132–142.

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and this "spin" came to be imposed on the entire campaign. It is hard not to find annoying the hype that surrounds the early contests. For 1988 southern states have taken things in their own hands by scheduling an early regional primary on March 8. This balloting follows the Iowa caucuses and the New Hampshire primary, which are held in February; but its huge jackpot of delegates means that it, too, will attract an enormous amount of early press coverage. The southern electorate is already being dissected by elaborate public opinion surveys.

Are there unfortunate implications in giving one state or region, whose social and political outlook differs from the other sections, so much weight in establishing early momentum? All manner of suggestions have been made to cope with such scheduling problems. For example, some have argued for a series of four primary dates, with all states holding primaries assigned to one or another so that no region dominates any date. This has some merit. New Hampshire and Iowa would get less attention, and a more "representative" collection of states would lead things off. But there are drawbacks: candidates would be forced to campaign simultaneously in four scattered sections of the country, putting enormous burdens on them, especially on those who start with less funding and organizational resources. By leading off, manageable little Iowa and New Hampshire enable less well-known and well-heeled candidates to gain attention through presenting their wares to real people in real election settings. If a candidate with modest resources and previously lacking a national reputation manages to impress a fair number of voters in these small states, isn't this laboratory experience of some considerable interest to the country?

In offering in 1980 "a better way to pick our presidents," I argued that we would improve things if we managed to combine in the selection system large doses of two differing, even conflicting, elements: peer review by party leaders and a strong voice for rank-and-file voters. The former would be achieved by providing that one-third of all national convention delegates be chosen wholly outside the primaries, in their capacities as party officials and officeholders. The remaining two-thirds would be chosen in state delegate-selection primaries held in every state on a single day—for example, the third Tuesday in June. Each state's delegates would be divided among the candidates in proportion to the candidates' respective shares of the state's total vote, with perhaps a threshold of 10 percent of the vote required before one gets any delegates.

Under this system a candidate who ran strongly in the national primary would almost surely add enough support from party leaders to be nominated on the first ballot. If he received 60 percent of the primary vote, for example, across the fifty states, he would go to the convention assured of roughly 40 percent of the first-round convention ballots—that is, 60 percent of the two-thirds of the delegates chosen through the primary. It would be surprising if the candidate couldn't pick up another 10 percent from the party officials. Otherwise, the convention would go on to further balloting, with no delegate bound but all aware of voter preferences. Bargaining and negotiation would finally produce the nominee.

These arguments still seem sound to me in 1987. I am less inclined to argue

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confidently on behalf of their implementation today, however, than I was in 1980—for two different sorts of reasons. First, I am now more skeptical about the desirability of imposing upon the states and parties any national reform of presidential nominee selection, even assuming the political readiness in Congress to legislate such change. Respect for the federal character of presidential selection and for the private associational nature of the national parties require that Congress should not presume to tell the states and the parties that delegate-selection primaries must be held on a given date and delegates chosen according to one particular, nationally-set standard. It is entirely appropriate, of course, to try to educate and persuade the parties to consider certain approaches, like those that build a greater measure of peer review into the selection process. And here, it should be noted, recent developments give us reason to be modestly satisfied. I refer, in particular, to the Democrats' decisions to increase the numbers of party leaders and officeholders selected ex officio as convention delegates. Such gradual change, based on the lessons of experience, is wholly consistent with the modest Burkean approach to reform to which I think we should commit ourselves.

My second reason for quarreling with the position I took around 1980 is related but still distinct. We should be careful lest our laudable enthusiasm for making things better lead us to urge the parties to constantly tinker with their procedures. This argument is something more than insisting we need to be sensitive to "the unintended consequences of purposive social action." It is also more than insisting upon the need to recognize that every system of presidential selection must have its own weaknesses and biases. It involves, especially, the judgment that there is a vital national interest in achieving order, stability, and predictability in election machinery. Electoral reform should be approached from a perspective that recognizes how important it is in this area to settle on something and stick with it.

I have made this same argument with regard to the endless stream of proposals for improving campaign finance. Like Michael Malbin, I have concluded that our present arrangements for funding elections don't work badly and certainly aren't guilty, as is so often charged, of giving certain special interests a corrupting financial influence.[15] Some of the changes made in the 1970s through the Federal Elections Campaign Act (FECA) and its amendments do seem to have improved things, as in providing for a far more complete accounting to the public of who receives how much in campaign contributions from whom; and undoubtedly some further improvements can be made. The greatest improvement we can now make would come from securing bipartisan agreement on an election finance scheme which, while not perfect, would meet a few basic objectives, thereby bringing to an end the long period of partisan skirmishing.

If the United States does not resist the urge to tinker with campaign finance

[15] See, for example, Michael Malbin, "Looking Back at the Future of Campaign Finance Reform: Interest Groups and American Elections" in Malbin, ed., *Money and Politics in the United States* (Chatham, N.J.: Chatham House, 1984), 232–276; and Everett Ladd, "Campaign Spending And Democracy," *Ladd Report #4* (New York: Norton, 1986).

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every few years, this area may become for us what election laws for France were during the 1946-1958 Fourth Republic—subject to regular change guided by nothing more substantial than immediate partisan advantage. (Electoral law skirmishing resumed in France in the mid-1980s, when the Socialists put through changes designed to reduce expected losses.) Before every election during the Fourth Republic, a key battle was fought on what election law would prevail in the balloting: several variants of proportional representation were used, for example, each differing substantially in its implications for how votes would get translated into seats in the French National Assembly. If this comes to pass in American campaign finance law, popular confidence is bound to suffer. People in a democracy need to have confidence that the basic rules governing the way they choose their leaders have a durability that reflects an underlying propriety and legitimacy. Constant change suggests that rulemaking is a shallow, cynical, political game.

Changes sometimes have to be made, and interested parties and groups will inevitably differ as to where their interests lie. But stability in electoral rules and procedures is in the national interest. The proper goal of reform is to remove *electoral machinery* as far as possible from partisan debate and endless tinkering. The U.S. single-member district, simple majority system seems to me to offer the model. It certainly has its biases, but both parties have learned to live with it; and the American electorate has come to see it as involving generally fair, justifiably permanent rules of the game.

Major Surgery: Is More Centrally Integrated Policy Making in the National Interest?

The American system in its entirety—which includes the separation of powers and the decentralized, undisciplined party system established within it—undoubtedly makes more difficult enactment of programs that reflect some centrally inspired coherence. Even when a president wins a handsome public endorsement, he must immediately grapple with a fiercely independent Congress in which members of his own party as well as the opposition oppose him at critical junctures. Compared to parliamentary systems with relatively disciplined parties, our presidential/congressional system with undisciplined parties is surely disjointed and at times even incoherent.

Given the record of party factions that in other systems have gained working control of the government and managed to enact their programs with less compromise and adjustment than is typically required in the United States, we must question whether the biases of the American system should be seen as disadvantageous. Historian Arthur Schlesinger, Jr. argues that the key problem evident in the making of public policy in the United States isn't that we have at hand a set of elegant programs that we can't enact because of the fracturings attendant our system of dispersed authority. "Our problem—let's face it—is that we don't know what to do . . . . If we don't know what ought to be done, efficient enactment of poor programs is a dubious accomplishment—as the experience of 1981 demon-

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strates. [Schlesinger was critical of various economic proposals that the Reagan administration advanced, including the Economic Recovery Tax Act, and that Congress did in fact enact.] What is the great advantage of acting with decision and dispatch when you don't know what you are doing?"[16]

Schlesinger points out that as early as a century ago foreign visitors to the United States were leveling much the same criticisms of the American system of separation of powers, party indiscipline, and the absence of party accountability as we encounter today. In *The American Commonwealth*, Lord Bryce summarized the British view that these elements of the American system made it virtually impossible for it to settle major national questions. "An Englishman is disposed to ascribe these failures to the fact that as there are no leaders, there is no one responsible for the neglect of business, the miscarriage of bills, the unwise appropriation of public funds. 'In England,' he says, 'the ministry of the day bears the blame of whatever goes wrong in the House of Commons. Having a majority, it ought to be able to do what it desires.'"[17]

Bryce also reported the response that he encountered among American political leaders. They insisted that Congress had not settled a number of major national questions not because of defects in institutional structure "but because the division of opinion in the country regarding them has been faithfully reflected in Congress. The majority has not been strong enough to get its way; and this has happened, not only because abundant opportunities for resistance arise from the method of doing business, but still more because no distinct impulse or mandate toward any particular settlement of these questions has been received from the country. It is not for Congress to go faster than the people. When the country knows and speaks its mind, Congress will not fail to act." Schlesinger endorses this general argument. "*When the country is not sure what ought to be done, it may be that delay, debate and further consideration are not a bad idea. And if our leadership is sure what to do, it must in our democracy educate the rest—and that is not a bad idea either.*"[18]

Admittedly, the argument that the national interest is well served by programmatic approaches that involve delay, debate, and compromise when the country is divided and uncertain as to what should be done, has a large subjective component. This argument is distrustful of the notion that an ascendent political faction is likely to be the repository of special wisdom and insight on what programs will best advance certain ends. Schlesinger seems to have come to this perspective with some encouragement from Reagan administration policies of 1981 and 1982—policies with which he strongly disagreed. I find a recurring experience: the record of a great many ascendant factions in many different governmental contexts has demonstrated that the probability of error is so great that barriers to any faction's

[16] Arthur Schlesinger, Jr., "Leave the Constitution Alone" in Donald L. Robinson, ed., *Reforming American Government* (Boulder, Colo.: Westview Press, 1985), 53.

[17] James Bryce, *The American Commonwealth* (New York: Macmillan, 1918) vol. 1, 153–54.

[18] Schlesinger, "Leave the Constitution Alone," p. 54. (Emphasis added.)

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being able to gain clear control of the government and see its ideas through are generally conducive to sound long-term policy in the national interest.

When reasonably broad agreement is reached on a course of action, the American system seems perfectly capable of coherent and expeditious responses, even on complex policy questions. The Tax Reform Act of 1986 is a case in point. We had been told repeatedly prior to its enactment that it presented precisely the kind of question where the special interests inevitably dominate—that our hyperindividualistic Congress is wholly incapable of fending off special interest pleas given the complexity, and hence invisibility to the general public, of detailed tax code provisions. Yet no such thing happened. When substantial agreement was reached (intellectually among economists and politically among Democrats and Republicans) on the wisdom of a general course of change in tax policy, that change was swiftly and coherently established. Whether we will live to regret it is, of course, another matter.

Any governmental or electoral system can at times yield policy that passes muster by standards of enduring national interests; and similarly any can fail to do so. Our judgments as to the adequacy of a particular system are inevitably colored by our views on their recent yield. A case in point is the criticism of the British system advanced by some American political scientists, notably Pendleton Herring and Don K. Price, at the end of the 1930s. Leon Epstein notes that both Herring and Price "thought that Britain's disciplined party leadership had produced bad policy results during the 1930s, at the very time that American presidential leadership appeared to have been relatively successful."[19]

Herring's observations are worth considering as we contemplate whether our own system needs more party discipline and centralization. In Britain, Herring argued, "it is the whole tendancy of the system that distinctive parties govern the nation in accordance with the class basis upon which their strength is organized . . . . [T]he isolation of classes into separate parties prevents that modification of extreme points of view that is possible when different elements join in compromise. The results of the British Conservative Party in encouraging German armament because of a fear of communism are now apparent. Parliamentary government does not provide a place in policy formulation for all of the parties at interest. One party machine rules while the opposition elements stand aside and hope for mistakes that will oust those in power."[20] Such a system, Herring argued, is poorly suited to advancing the national interest. Herring found the American presidential system with its weak parties and dispersed power rather more attractive. "The chief executive is forced to seek middle ground. He cannot depend on his own party following. His measures are often supported by minority party members.

[19] Leon D. Epstein, "What Happened to the British Party Model?" *The American Political Science Review* 74 (March 1980): 10; Don K. Price, "The Parliamentary and Presidential System," *Public Administration Review* 3 (Autumn 1943): 317–34; and Pendleton Herring, *Presidential Leadership* (New York: Farrar and Rinehart, 1940), esp. 128–146.

[20] Herring, *Presidential Leadership*, 129–30.

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The separation of executive and legislative branches gives both Congress and the president an opportunity to appeal to the voters."

Epstein suggests that American political science has suffered from its infatuation through much of this century with its idealized picture of a British "responsible-party" system.[21] Shaken from their attraction to some degree by developments in the 1930s and again by recent British experience in formulating public policy, political scientists still have not sufficiently examined questions of the institutional capacity of the British system for encouraging sound, broad-based policies. My own limited examination suggests that every party system in the advanced industrial democracies—Britain and the U.S. included—is a complex mix that reflects both the strengths and the weaknesses of the larger political-institutional system of which it is a part. Cross-national borrowing is a dubious venture.

Major Surgery: Does the U.S. System Notably Advantage Special Interests?

The United States has a plethora of interest groups intruding into the governmental process at all levels. Moreover, the number of groups operating at the national level has burgeoned over the last quarter-century. From these developments it has been easy to reach the conclusion that the American system of dispersed governmental power, organizationally weak parties, and a hyperindividualistic legislature has given special interests a unique and excessive opportunity to shape policy. Jack L. Walker, a leading student of American interest groups, challenges the view, however, that the explosion of interest-group activity has anything at all to do with the characteristics of the American parties and elections system. The factors he cites for the expansion of group activity nationally are: long-term increases in the level of education of the population, which provides a large pool of skills on which various citizen movements can draw; development of methods of communication that are relatively inexpensive yet sophisticated; a period of social protest beginning with the civil rights demonstrations of the early 1960s, which called many established practices into question and provided a strong stimulus for change; the creation of massive new governmental programs; the subsequent response by governmental agencies and foundations of encouraging links among the service providers and consumers of the new programs; and the defensive response by groups that felt threatened by new regulatory legislation in areas like consumer protection, occupational health and safety, and environmentalism.[22]

A great number of developments outside the parties and elections system have encouraged groups to organize, set up Washington offices, and try to bend programs and policies more to their wishes. It might still be, of course, that the American electoral system gives unusual opportunities to special interests; but upon

[21] Epstein, "What Happened to the British Party Model?"

[22] Jack L. Walker, "The Origins and Maintenance of Interest Groups in America," *The American Political Science Review* 77 (June 1983): 397.

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examination this claim, too, appears unsubstantiated. The experience of western democracies indicates that different electoral and governmental systems stimulate different forms of interest-group intervention; it does not establish that more centralized systems fare better in resisting special interests.

In France, notes Frank L. Wilson, "with deputies voting *en bloc* according to their parties' decisions, interest groups might be expected to redirect their pressure from the individual members to the party, but there is no evidence that this shift took place. Rather, they redirected their activities toward influencing governmental agencies directly."[23] Over half of the interest-group leaders Wilson interviewed said that their groups rarely or never contacted the parties as such. These officials described contacts with ministers and civil servants as by far their most effective means of action; parliamentary lobbying ranked at the bottom of the list. Interest-group interventions in France look different from those in the United States, but are not less influential.

In Britain, decision making is highly centralized in the government and in the parties. As a result, parliamentary lobbying is relatively limited compared to the United States, though far from nonexistent. When, however, interest groups form strong bonds with tightly disciplined parties in this centralized decision-making environment, the influence of these special interests over the totality of government policy may dwarf that achieved by their counterparts in the United States. No interest group or collection of groups has influence over the Democratic or Republican parties comparable to what the labor movement has over the Labour party in Britain. The British system may have an especially difficult time responding to more general interests because of the strength of group ties to established party decision makers.

Elected officials of both parties in the United States routinely do business with a great variety of different interest groups. The reverse is also true: most groups consider it in their interest to maintain access to people on both sides of the aisle and in the various sectors where decisions are made, reflecting the dispersion of power that is the hallmark of the American system. The main result seems to be that groups rarely dominate any broad sector of national policy, although they may exercise great influence in narrower policy sectors where "iron triangle" relationships (involving agency bureau chiefs, congressional subcommittees, and well-organized interest groups) apply.

Major Surgery: Does the System Diminish Public Control?

Calls for "reform" aimed at more disciplined and "responsible" parties have typically assumed that the public is frustrated by the wide dispersion of power in which no faction is able to gain clear control of the government and see its programs comprehensively enacted. The exact opposite seems to be the case, however. When

[23] Frank L. Wilson, "French Interest Group Politics: Pluralist or Neo-Corporatist?" *The American Political Science Review* 77 (December 1983): 905.

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public opinion polls ask Americans what they think about a system in which Republicans control the presidency and the Democrats, Congress, they invariably indicate their satisfaction. In the last half-century, the United States has had much experience with divided control over the presidency and Congress; and repeatedly, surveys show approval of split control rather than frustration with it.

Examining public opinion on many of the large contemporary issues, one gets a better sense of why divided control may not appear to Americans as either confusing or threatening. Again and again one finds a public that is highly ambivalent—torn between the contending partisan positions. For example, *Public Opinion* magazine has reviewed the opinions of Americans on various "role of government" questions. Over the last two decades the public has been continuously pulled in two directions. On the one hand, Americans make expansive claims for services of all sorts—many of which they expect government to provide. On the other hand, they see government as intrusive, clumsy, and problem-causing. Those who have wanted to cut back on domestic government have naturally chosen to emphasize the public's dissatisfaction with government's size and scope; those who want more government intervention stress the public's appetite for services. The fact is, though, that both dimensions have been prominent in American thinking over the last two decades; the tensions between the two viewpoints, not their resolution left or right, Democratic or Republican, is the story.

Given these ambivalent feelings, fractured party control may be seen as a highly effective vehicle of popular control. If the public hasn't made up its mind what direction it wants to go, or more precisely, has decided it doesn't want to go consistently in any direction, what better vehicle than a system in which a loosely disciplined Democratic majority pushes one way through the Congress and a loosely disciplined Republican coalition often pushes the other way through the executive?[24] The policy control of an ambivalent public is enhanced by a system of dispersed authority. Frustration seems to reside more with certain party elites than with the general public.

Conclusions

The relationship of a party system to the promotion of broad national interests will never be demonstrated with the final precision of the Pythagorean theorem. It involves too many slippery concepts and too many sources of variation in end result. Nonetheless, it is striking that over the past century, in which the American system of dispersed authority has been so much lamented, so little real evidence has been accumulated supporting the argument that party discipline and centralization in policy making actually serve the national interest. Special interests don't appear less influential in parliamentary systems with disciplined parties. Central-

[24] For data on the public's conflicting views of government, see *Public Opinion*, March/April 1987, 21–33.

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ized systems of policy making show no signs of being able to regularly produce sounder results. The American public shows satisfaction, not frustration, with the system in which no party faction can dominate the course of public policy. The basic case for extensive reform of the American party system simply has not been established.

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The Supreme Court and the New Politics of Judicial Power

MARK SILVERSTEIN
BENJAMIN GINSBERG

Most observers of American politics expected the results of the 1968 presidential election to have major implications for the future of American constitutional law. In the year prior to the election, Chief Justice Earl Warren had announced his retirement and President Lyndon Johnson's efforts to promote his friend and confidant, Associate Justice Abe Fortas, to the post had failed. The successful presidential candidate was thus assured the opportunity to appoint a chief justice. Moreover, the advanced age of several other justices virtually guaranteed the new President additional appointments. Staffing the judiciary became an important political issue as Richard Nixon mounted a vigorous "law and order" campaign, in which he sought to link rising crime rates to the criminal process decisions of the Warren Court and promised to stem the tide of judicial activism by appointing only "strict constructionists" to the Supreme Court.

Nixon's victory in 1968 thus appeared to set the stage for a judicial "counter-revolution," a determined effort by the executive branch to set aside the liberal jurisprudence of the Warren Court through the use of the appointment power. This effort gathered momentum as the nomination of a new chief justice was quickly followed by the resignation of Justice Fortas and the deaths of Justices Hugo L. Black and John M. Harlan. Within his first three years in office, Nixon was

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presented with four vacancies on the Court and in keeping with his campaign promise, he sought the appointment of men with a "conservative judicial philosophy." The reaction of the media and professional courtwatchers was immediate and apocalyptic: wholesale change in constitutional doctrine was predicted as part of the emergence of the Nixon Court. Had those same commentators known that the next appointments to the Court would come from the presidencies of Gerald Ford and Ronald Reagan respectively, the predictions of a constitutional counterrevolution would have been even more confidently made.

With this in mind, the recent comments by Attorney General Edwin Meese expressing the Reagan administration's continuing frustration with an "activist" judiciary carry a surprising sense of deja vu.[1] This is, after all, a decidedly Republican Court. Seven of the justices were appointed by Republican presidents; the last Democratic appointee was Thurgood Marshall in 1968. The situation in the lower federal courts is only slightly different. Although President Jimmy Carter appointed over 250 lower federal court judges, by the conclusion of his second term President Reagan will have appointed a majority of the federal bench. In terms of conventional wisdom, Republican electoral successes should now be clearly reflected in constitutional doctrine.[2] The fact, however, is quite the opposite.[3] The most controversial decisions of the Warren era involving school prayer, reapportionment, desegregation, and criminal procedure remain the law of the land. The Burger Court nibbled at the edges of several Warren Court precedents, often seeking to confine their application, but overt attempts at overruling were either avoided or defeated. Even more significant, the tradition of judicial activism remained unabated, although the beneficiaries of this activism may have changed. The Burger Court clearly did not share its predecessors' passionate concern with racial equality or the fate of criminal defendants. On the other hand, the Warren Court's complacency in establishing judicial remedies for gender discrimination contrasted sharply with the efforts of the Burger Court. Despite changing personnel and the rhetoric of restraint, the Burger Court, like its predecessor, continued to play a decisive role in the American policy-making process.

This article seeks to account for the stillborn constitutional counterrevolution evidenced by the surprising measure of jurisprudential continuity from the Warren to Burger Courts. To do so requires that we reexamine the Supreme Court's efforts during the last three decades to liberalize the rules determining what constitutes

[1] Meese's statements were made during two addresses to the American Bar Association. The text of both speeches appears in Elder Witt, *A Different Justice* (Washington, D.C.: Congressional Quarterly, 1985). The *New York Times* reported that insiders believed the statements to have been triggered by the Court's failure to accept the administration's position in several controversial cases decided during the just concluded term of the Court. See *New York Times*, 18 July 1985.

[2] Perhaps the foremost of these studies is Robert Dahl, "The Supreme Court and National Policy Making," *Journal of Public Law* 6 (Summer 1958): 279.

[3] See Vincent Blasi, *The Burger Court: The Counter-Revolution that Wasn't* (New Haven: Yale University Press, 1983); Symposium, "The Burger Court: Reflections on the First Decade," *Law and Contemporary Problems* 43 (1980): 1.

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a justiciable "case or controversy." Although this has been a fertile ground for legal scholarship,[4] limited attention has been given to the political impact of these developments. Throughout much of American history, the power of the federal judiciary—particularly the Supreme Court—has been related to its capacity to forge alliances with important economic interests and political forces. Typically, the judiciary has created such alliances through its power to interpret the Constitution. During the nineteenth and early twentieth centuries, for example, the Court linked itself to mercantile capitalists by means of its interpretation of the Contract Clause and later to industrial capitalists through the doctrine of substantive due process. The interests served by these constitutional interpretations, in turn, became firm supporters of an independent judiciary, willing to come to the defense of the Court in its struggles with the Congress, the executive branch, and the states.

During the 1960s and 1970s, the Court's constitutional interpretations, particularly in the areas of civil rights and civil liberties, joined the federal judiciary with important political forces. At this time, however, the Warren Court further enhanced the significance of the judiciary in the political process by redefining both constitutional and discretionary limitations on the exercise of judicial power. The federal judiciary acquired the ability to serve a wider range of litigants and to consider a broader array of issues than ever before in its institutional history. In effect, the Court simultaneously created new tools of judicial power and enhanced its capacity to forge linkages with important constituency groups willing to support new assertions of judicial power vis à vis the other branches of government. As a result, the Court dramatically increased both its capacity to influence national policy and its independence from presidential control. This political development helps to explain the otherwise curious pattern of transition from the Warren to the Burger Courts and offers some clues as to the likely impact of Ronald Reagan's Supreme Court appointments upon the character and direction of judicial policy making.

The Political Origins of Judicial Power

The importance of any political institution is a function of its capacity to build alliances with dynamic and powerful social forces.[5] Institutional crisis inevitably occurs when the institution "loses its previous sources of support or fails to adapt itself to the rise of new social forces."[6] During a good part of the twentieth century, for example, congressional power has declined relative to the executive, because a plebiscitary, media-oriented presidency has been far more successful in broadening its base of popular support.[7] At the center of the ebb and flow of

[4] See Alexander Bickel, *The Least Dangerous Branch* (Indianapolis: Bobbs-Merrill, 1962); Louis L. Jaffe, "Standing to Secure Judicial Review: Public Actions," *Harvard Law Review* 74 (May 1961): 1265.

[5] Samuel Huntington, "Congressional Responses to the Twentieth Century" in David Truman, ed., *The Congress and America's Future* (Englewood Cliffs, N.J.: Prentice-Hall, 1973).

[6] Ibid., 7.

[7] Theodore Lowi, *The Personal Presidency* (Ithaca, N.Y.: Cornell University Press, 1985), 134–175.

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congressional and executive power has been the relative ability of the two branches to respond to changes in the character, demands, and interests of competing social and political forces.

During the first third of the nineteenth century, Chief Justice John Marshall sought to establish the judiciary as a central, national political institution by championing the forces of capitalism in an era of expanding industrialism. In doing so, he forged what journalist Max Lerner characterized as "the strategic link between capitalism and constitutionalism."[8] Marshall's jurisprudence was more receptive to the dynamic forces of mercantile capitalism than was the agrarian economic vision of Thomas Jefferson, James Madison, or James Monroe. His expansive interpretation of the Contract Clause, for example, made the sanctity of contract the bedrock of early constitutional development.[9] With the victory of Jefferson in the election of 1800, the defeated, yet still powerful, Federalist party rested its defense of property and commercial development in the judiciary. The cornerstone of Federalist support for the judiciary was the Judiciary Act of 1801 which, in addition to creating new judgeships to be staffed by Federalist supporters, reorganized the federal court system, abolished circuit duty for Supreme Court justices, and provided an array of clerks, marshalls, and United States attorneys. The ascendency of the Jeffersonian Republicans brought efforts to repeal the act. In bitter partisan battles, the Judiciary Act was repealed with votes in both the Senate and House following strict party lines.[10] When fears mounted that the repeal act would be found unconstitutional, the Republican-dominated Congress in turn passed a law postponing the term of the Supreme Court for over one year. Again the vote was on strictly partisan lines as a normally fragmented and discordant Federalist party united in an unsuccessful defense of the judiciary. These defeats, however, should not obscure the fact that by uniting itself with important economic forces, Marshall's judiciary was able to weather the Jeffersonian attack on the federal judiciary and to transcend some of the limits imposed by the Constitution.

John Marshall's legacy to future generations of American judges was to establish the potential for judicial power. Marshall's heirs, however, did not inherit a judiciary in which the exercise of that potential was assured. The emergence of the judiciary under Marshall was the product of "a strategic point in the campaign of history."[11] Subsequent judges, less skilled than Marshall or less favored by historical circumstance, would find his legacy of judicial intervention in the affairs of state far more difficult to maintain. For example, although Marshall's successor

[8] Max Lerner, "John Marshall and the Campaign of History" in Leonard Levy, ed., *American Constitutional Law: Historical Essays* (New York: Harper and Row, 1966), 57.

[9] The cases are legion. Consider *Fletcher v. Peck*, 10 U.S. (6 Cranch) 187 (1810); *New Jersey v. Wilson*, 11 U.S. (7 Cranch) 164 (1812); *Dartmouth College v. Woodward*, 17 U.S. (4 Wheat.) 518 (1819).

[10] George L. Haskins and Herbert A. Johnson, *History of the Supreme Court of the United States: Foundations of Power: John Marshall 1801–1815* (New York: MacMillan, 1981), 164.

[11] Oliver W. Holmes, "Speech on John Marshall" reprinted in Julius Marke, ed., *The Holmes Reader* 2nd ed. (New York: Oceana Press, 1964), 78.

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Roger Taney shared Marshall's understanding of an activist judiciary, he was unable to form enduring bonds with powerful social and economic forces before foundering on the issue of slavery in *Dred Scott*.[12] Several decades of relative judicial quiescence followed until the turn of the century when the judiciary, armed with an expansive interpretation of due process and a narrow view of federal power, found important constituent support among industrial capitalists seeking to stem the progressive tide of regulatory efforts. This pattern has been repeated throughout a good part of the Court's history; the key to judicial power has been the Court's success in linking constitutional interpretation with the needs of powerful social forces.

The Court and the Executive

Despite these assertions of power, for much of its history the federal judiciary has still been the least equal of the three branches. The difficulty in cultivating and maintaining a popular base combined with both the presidential appointment power and congressional control over the jurisdiction, organization, and size of the federal courts limit the independence of the judiciary. The result is that the Court—particularly an activist Court—was compelled to rely upon the political power of one of the other branches to compensate for its own political weakness. Historically the Court was most closely aligned with the executive branch and a Court not in step with the president's political agenda was vulnerable to political attack. In the 1950s, for example, the Court's school desegregation and loyalty oath decisions coupled with the obvious nonsupport of the Eisenhower administration resulted in potent congressional challenges to the independence of the federal judiciary.[13] Less than ten years later and armed with the support of the Kennedy administration, the Court easily weathered the political storm over the reapportionment and school prayer decisions. Thus it is perhaps not surprising that in the course of American history the Court has rarely restricted presidential power.[14] Indeed, particularly in the years following the New Deal, the federal judiciary has furthered and at times championed the cause of a strong and dominant executive branch.[15] After reviewing this history, Robert Scigliano concluded that the judiciary and the presidency "have had a special relationship to each other that neither has had to Congress."[16] This was particularly true of the Supreme Court during

[12] G. Edward White's fine essay on Roger Taney illustrates this point. See White, *The American Judicial Tradition* (New York: Oxford University Press, 1976).

[13] See Walter Murphy, *Congress and the Court* (Chicago: University of Chicago Press, 1962).

[14] The high drama of recent Court-President confrontations merely underscores the relative rarity of such events. See *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952); *United States v. Nixon*, 418 U.S. 683 (1974). On the general amenability of the Court to the ruling majority, see Dahl, "Supreme Court and National Policy Making."

[15] Louis Koenig, *The Chief Executive* (New York: Harcourt Brace, 1964), 406.

[16] Robert Scigliano, *The Supreme Court and the Presidency* (New York: Free Press, 1971), 197.

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the 1960s. The controversy that surrounded many Warren Court rulings should not obscure the close relationship that existed between the Court and the executive branch during much of this period. With the help of the Warren Court, Washington, D.C. became the center of power in America and the presidency the center of power in Washington, D.C.

The relationship of Court, Constitution, and the growth of federal power had been of extraordinary significance to many early twentieth-century reformers. In serving the cause of centralization, the Warren Court was not merely continuing the legacy of John Marshall but was also aiding the forces unleashed by the New Deal. Early in the New Deal era, the Court, championing the interests of the business community, blocked key elements of the Roosevelt program. Therefore, it was hardly surprising that supporters of New Deal reform made judicial restraint the measure of enlightened jurisprudence. To many of the architects of the New Deal, for example, an active judiciary stood as a formidable hurdle to the centralized, administrative state.[17] On the Court, Louis Brandeis reminded the brethren (and the nation) of the democratic limits of judicial power. In response to more radical proposals to limit constitutionally the power of the federal judiciary, Brandeis sought to establish within the judiciary a tradition of self-imposed limits.

In his famous concurring opinion in the case of *Ashwander v. TVA*, Brandeis formulated a series of rules by which the Court would limit the exercise of its constitutional powers to conform with the necessities of democratic politics:

> The Court will not pass upon the constitutionality of legislation in a friendly, nonadversary, proceeding . . . will not anticipate a question of constitutional law in advance of the necessity of deciding it . . . will not formulate a rule of constitutional law broader than the precise facts to which it is to be applied . . . will not pass upon a constitutional question . . . if there is also present some other ground upon which the case may be disposed of . . . will not pass upon the validity of a statute upon complaint of one who fails to show that he is injured by its operation . . . will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits . . . [when the constitutionality of an act is challenged] this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided.[18]

To Brandeis, as to many liberals in the years surrounding the New Deal, judicial restraint became synonymous with progressive reform. Adherence to the self-imposed rules developed by Brandeis in the *Ashwander* concurrence resulted in the expansion of federal executive and legislative power.

The story of the remarkable turnaround by the Supreme Court following

[17] As Martin Shapiro has noted, many of the New Dealers were to become the constitutional scholars of the 1960s and 1970s, providing an important explanation for the academic legal community's fascination with judicial restraint. Martin Shapiro, "Fathers and Sons: The Court, the Commentators and the Search for Values" in Blasi, *Burger Court*; see also Shapiro, "The Supreme Court: From Warren to Burger" in Anthony King, ed., *The New American Political System* (Washington D.C.: American Enterprise Institute, 1978).

[18] *Ashwander v. TVA*, 297 U.S. 288, 341 (1936).

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Roosevelt's futile Court reorganization plan is a familiar one and need not be retold here. Not only did the Court begin to uphold and even to expand the reach of federal regulatory powers, but more importantly for our purposes this turnabout cemented the link between executive and Court. The justices of the Roosevelt Court may have had bitter and at times public differences among themselves, but the relationship between the executive branch and the judiciary was never more firmly grounded. The Court had abdicated control in the policy areas most dear to the executive's heart, and the emerging judicial activism in the realm of civil liberties and civil rights was in basic accord with the social philosophy of the New Deal and not in serious conflict with presidential prerogative.

The Growth of Judicial Independence

The lesson of the Roosevelt era for many New Deal liberals was that an activist, powerful presidency could coexist best with a judiciary that narrowed the sphere of its constitutional powers and deferred to the elected branches. In the years following the start of the New Deal, the basic tenet of judicial liberalism—that the Court would not impede the expansion of federal power—was solidified. From 1936 to the present, for example, the Court refused, with one exception, to find in the 10th Amendment an effective limit on the growth of the federal government.[19] Had the Court merely ratified the nationalization of governmental power, the New Deal model of the judiciary as an essentially second-line branch of government, subservient to executive politics, would have remained undisturbed. The Warren Court, however, radically altered the judiciary's role in the governmental process.

Instead of assuming a reactive position in which the Court simply ratified the actions of president and Congress, the Warren Court of the 1960s systematically dismantled the complex web of rules and constraints that had limited the scope of judicial power. The Court's decision in *Flast v. Cohen*,[20] for example, distinguished almost forty years of precedent to liberalize the standing doctrine to permit taxpayers' suits challenging, at the very least, federal expenditures in violation of the Establishment Clause of the First Amendment. During the 1960s, a similar fate befell most of the principles established by Brandeis in the *Ashwander* concurrence. The abstention doctrine, which provides that a federal court should decline to exercise jurisdiction when a constitutional issue rests on unsettled questions of state law, was consigned to the scrap heap in the Court's haste to ensure federal protection for important constitutional rights.[21] The rules governing determinations of mootness were relaxed to satisfy the "public interest" in having

[19] The one deviation from that trend, *National League of Cities v. Usery*, 426 U.S. 833 (1976) was quickly reversed. *Garcia v. San Antonio Metro Transit Authority*, 469 U.S. 528 (1985), 105 S. Ct. 1005 (1985).

[20] *Flast v. Cohen*, 392 U.S. 83 (1968).

[21] See *Dombrowski v. Pfister*, 380 U.S. 479 (1965); *Griffin v. County School Bd.*, 377 U.S. 218 (1964).

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certain issues litigated and resolved.[22] The Court at best paid lip service to the notion of federal-state comity, showing little if any reluctance to intervene in state proceedings.[23]

Perhaps the most illustrative example of these developments – and one that signaled the end of the "political question" doctrine as a significant (and self-imposed) limit on judicial power – was the changing judicial posture on the issue of the reapportionment of the nation's legislatures. The first major case to reach the Court contending that seriously malapportioned legislative districts presented a justiciable constitutional issue was *Colegrove v. Green* decided in 1946.[24] Writing for a plurality, Justice Felix Frankfurter concluded that the issue was not justiciable and warned that "Courts ought not to enter this political thicket." Frankfurter was later to characterize *Colegrove* and its progeny "among the wisest and farsighted decisions of the Court."[25] The decisions were wise and farsighted, not because Frankfurter approved of malapportioned legislatures, but because involvement in such "political" questions would, in Frankfurter's view, ultimately erode the legitimacy and stature of the Court while denying to the elected branches primary responsibility for political change.[26] There is nothing surprising about Frankfurter's position in *Colegrove*; it is entirely consistent with the view that an essentially passive judiciary over the long haul could best serve the goal of progressive political reform.

Sixteen years later, the Court decided *Baker v. Carr*,[27] and a majority of the Court took a flying leap into that political thicket. Frankfurter, faithful to the tradition of *Colegrove* and *Ashwander*, resisted, warning that involvement in the reapportionment cases would "bring the Court in conflict with political forces."[28] Although the reaction to *Baker* was mild, a political firestorm erupted with the decision in *Reynolds v. Sims*,[29] which announced the "one man one vote" standard. Far more significant, however, was the reaction of the executive branch; both President John Kennedy and Attorney General Robert Kennedy publicly embraced the result.[30] As debate over reapportionment sharpened, the Court's position was championed by a broad coalition including such groups as the AFL-CIO, the NAACP, and the Americans for Democratic Action (ADA), reflecting major components of the national Democratic party.[31] Despite Frankfurter's dire predictions,

[22] *Wirtz v. Glass Bottle Blowers Association Local 153*, 389 U.S. 463 (1968).

[23] *Dombrowski v. Pfsiter*, 380 U.S. 479 (1965).

[24] *Colegrove v. Green*, 328 U.S. 549 (1946).

[25] See letter dated 11 October 1961 from Frankfurter to Justices Charles Whittaker and Potter Stewart in the Felix Frankfurter collection at the Library of Congress. The letter was written while the Court was deliberating the outcome of *Baker v. Carr*.

[26] Ibid.

[27] *Baker v. Carr*, 369 U.S. 186 (1962).

[28] Frankfurter to Stewart, 20 April 1961 quoted in Bernard Schwartz, *Super Chief* (New York: New York University Press, 1983), 413.

[29] *Reynolds v. Sims*, 377 U.S. 533 (1964)

[30] See Richard Cortner, *The Apportionment Cases* (Knoxville: Tennessee University Press, 1970), 146, 147.

[31] Ibid., 244.

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reapportionment took place with little, if any, cost to the federal courts. Frankfurter had been wrong about the consequences of *Baker* and subsequent reapportionment cases, because he failed to appreciate the newly emerging role of the judiciary. Judicial activism, when linked to presidential politics and constituencies, could serve the cause of progress. Confident of presidential support, the justices of the Warren Court redefined judicial liberalism, eschewing judicial restraint for a judicial activism designed to further the nationalization of political power in the United States.

This development constituted an important change in the judiciary's relationship not only with the states but with the other branches of government as well. The liberal theorists of the New Deal assumed that an active federal judiciary was a threat to progressive politics; in their view, judicial review inevitably narrowed the permissible arena of politics for the popularly elected branches. The justices of the Warren Court, however, were confident that an activist judiciary could broaden the scope of national politics. In short, an activist judiciary in partnership with a dynamic executive branch would be the cornerstone of a new, modern model of politics. In pursuit of this goal the Warren Court of the 1960s dismantled the institutional restraints created by the progressive jurists of the 1920s and 1930s. They were successful in this endeavor because their goals fit neatly within the broad executive agenda of that decade. By relaxing the standing requirement, for example, the Court assured litigants in the civil rights struggle their day in court and, not coincidentally, assured its own continued opportunity to validate the nationalization of rights. Thus for all the controversy engendered by many of its decisions, the Warren Court of the 1960s enjoyed strong executive support because its activism served the interests of the occupants of the White House.

At the same time, however, freedom from a cramped reading of the case and controversy requirement, coupled with complete control over its own docket, also provided the Court with the opportunity to play a more independent role in the policy-making process. The justices of the Warren Court were not unaware of the basic fact that liberalization of the case and controversy requirement gave a wider range of litigants access to the courts, and thus rendered a wider range of issues subject to judicial determination. Considered from this perspective, the justiciability decisions of the Warren Court take on added political significance. Political forces supporting such diverse causes as reapportionment, racial equality, reform of the criminal justice system, environmental protection, and many others increasingly found that their goals could be achieved in the judicial arena and came to view the judiciary as the institution that best served their interests.

The New Mechanisms of Judicial Power

The easing of the justiciability standards enhanced the potential for an expanded judicial role in the policy-making process. To further that potential, during the 1960s the Court armed the federal judiciary with important new tools of judicial power. In 1966, for example, the Supreme Court amended Rule 23 of the Federal

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Rules of Civil Procedure to facilitate class-action suits. The result was an extraordinary legal tool for group litigants as access to the federal courts was increased immeasurably because claims which were *de minimis* if asserted individually could now be aggregated against a common defendant. In the years following the liberalization of Rule 23, civil rights cases made up the majority of claims filed under the new rule.[32] Within a few years, however, the class-action suit became a powerful tool in the hands of upper-middle-class professionals and intellectuals who during the 1960s and 1970s organized a variety of groups and movements that attempted to bring about significant changes in American government and society.[33] Hence, in addition to civil rights claims on behalf of minority groups, class actions became critical weapons in the arsenals of the consumer, environmental, feminist, and anti-nuclear movements.

Hand in hand with the increased use of class actions was the expansion of remedies employed by the judiciary. No longer was the injunction an "extraordinary writ," and federal judges made broad use of their equitable powers to fashion innovative forms of relief.[34] Class actions challenging conditions in public facilities produced a host of detailed judicial decrees setting forth minimum standards of care required of public agencies.[35] Increasingly judges made use of special masters, under the control of the court, to take charge of the day-to-day operations of institutional defendants.[36] In appropriate cases, federal judges did not hesitate to move beyond the narrow issue presented to set forth judicial (and hence constitutional) guidelines to govern future lawmaking in a wide range of policy areas.[37] By the mid-1960s and the 1970s, the federal judiciary provided an expanding array of litigants with a scope of remedies previously only available from either the executive or legislative branch. Not only did the poor and weak benefit, but increas-

[32] "Developments in the Law-Class Actions," *Harvard Law Review* 89 (May 1976): 1318.

[33] Martin Shefter and Benjamin Ginsberg, "Institutionalizing the Reagan Regime" in Benjamin Ginsberg and Alan Stone, eds., *Do Elections Matter?* (New York: M. E. Sharpe, 1986); Benjamin Ginsberg and Martin Shefter, "A Critical Realignment? The New Politics, the Reconstituted Right and the 1984 Election" in Michael Nelson, ed., *The Elections of 1984* (Washington, D.C.: Congressional Quarterly Press, 1985).

[34] Donald Horowitz, *The Courts and Social Policy* (Washington D.C.: Brookings Institution 1977); Patrick Oster and Donald Doane, "The Powers of Our Judges: Have They Gone Too Far?" *US News and World Report*, 19 January 1976, 29; Abraham Chayes, "The Role of the Judge in Public Law Litigation," *Harvard Law Review* 89 (May 1976): 1281; William Fletcher, "The Discretionary Constitution: Institutional Remedies and Judicial Legitimacy," *Yale Law Journal* 91 (March 1982): 635.

[35] The classic example is Judge Frank Johnson's requirements setting forth minimum standards of care in the operation of the Alabama state facilities for the mentally ill. *Wyatt v. Stickney*, 325 F. Supp 781 (M.D. Ala., 1971); 334 F. Supp 1341 (M.D. Ala., 1971); 344 F. Supp. 373 (M.D. Ala., 1972); 344 F. Supp. 387 (M.D. Ala., 1972).

[36] *Morgan v. McDonough*, 540 F.2d 527 (1 Cir., 1976) *cert denied* 429 U.S. 1042 (1977).

[37] Compare, for example, the Warren Court's *Miranda v. Arizona*, 384 U.S. 436 (1966) with the Burger Court's *Roe v. Wade*, 410 U.S. 113 (1973). In each case the particular controversy before the Court became the means through which the Court wrote the standards for legislation in the area of police-suspect confrontations and abortions.

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ingly liberal "new politics" groups like environmentalists, consumers, and feminists became vehement proponents of judicial power and activism who could be counted upon to rally to the defense of the federal judiciary when it came under fire. Because these groups had important allies in the media, the universities, and on key congressional committees, their support could be politically very important. The Nixon administration confronted the political might of these groups in several battles over appointments to the federal judiciary; indeed the nomination of G. Harrold Carswell was doomed not simply because of his conservative views but because his nomination was seen as a deliberate effort to downgrade the image and importance of the Supreme Court. Carswell was defeated by a coalition led by "new politics" groups. For this and other efforts to tamper with the integrity of the federal judiciary, Nixon was excoriated by the national media, legal scholars, and, of course, congressional spokesmen for liberal interests.[38]

At the same time, the Court evidenced a surprising independence from executive control, often siding with the President's "enemies" to frustrate the administration's goals. For example, the Burger Court effectively blocked Nixon's "Southern Strategy" – the effort to win political support in the white South by ending federal support for integration – by refusing to halt judicial efforts to desegregate southern school districts. After one such case, Senator Strom Thurmond of South Carolina announced: "The Nixon administration stood with the South . . . but the Court has chosen to override both the state of Mississippi and the Department of Justice."[39] Similarly the judiciary sided with opponents of the Nixon administration in the case of impoundment of funds,[40] domestic surveillance,[41] and, of course, executive privilege.[42] The Supreme Court's decision in the Watergate tapes case sounded the death knell of the Nixon presidency and compelled Nixon to resign from office or face certain impeachment.

Thus, over the course of approximately fifteen years a judicial revolution took place. Liberalizing the rules of justiciability coupled with the development of new tools of judicial power permitted the Court to forge political links with important constituency groups. Armed with the support of these groups, the Court successfully opposed and seriously weakened the presidency that it had helped create. The paradox of the activism of the modern Supreme Court was that the tools de-

[38] A brief description of the Nixon administration's efforts to control the Supreme Court through the appointment power are set forth in Henry Abraham, *Justices and Presidents* (New York: Oxford University Press, 1985), 13–23.

[39] Quoted in James Simon, *In His Own Image* (New York: David McKay, 1973), 128.

[40] See Louis Fisher, *Presidential Spending Power* (Princeton, N.J.: Princeton University Press, 1975), chaps. 7 and 8; Abner J. Mikva and Michael F. Hertz, "Impoundment of Funds – The Courts, the Congress and the President," *Northwestern Law Review* 69 (July–August 1974): 335. Most of the defeats suffered by the Nixon administration over impoundment of funds turned on statutory interpretation; see *Train v. City of New York*, 420 U.S. 35 (1975). For a case holding that the President lacked constitutional authority for impoundment see *Local 2677 v. Phillips*, 358 F. Supp 60 (D.D.C., 1973).

[41] *United States v. United States District Court* 407 U.S. 297 (1972).

[42] *United States v. Nixon*, 418 U.S. 683 (1974).

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veloped by the Warren Court were intended to further the judiciary's support of a dynamic presidency; the latent consequence, made manifest during the Burger Court era, was to free the judiciary from executive control and establish the judiciary as a truly coequal branch.

Toward a Coequal Branch

With these developments in mind, the frustrations of Attorney General Edwin Meese can be placed in perspective. Recent Republican presidents have sought to shape the Court in their own image. In this endeavor, they have been only marginally successful. The Burger Court, in the view of the Reagan administration, was annoyingly unpredictable, marching to the beat of its own drummer with only occasional consideration for the President's political agenda.

The explanation for this surprising independence may well lie in the fact that the Burger Court neither significantly altered the justiciability criteria established by the Warren Court nor surrendered any of the other tools of judicial power fashioned by its predecessor. This is not to suggest that particular decisions of the Burger Court do not stand in sharp relief to those of its predecessor. For example, the restrictive standing doctrine described by Justice Lewis Powell in *Warth v. Sedlin*[43] is far removed from *Flast*. Similarly, the abstention doctrine was revived in *Younger v. Harris*.[44] Nevertheless, although comparison of individual cases may highlight differences, a recent study of the justiciability decisions in the Supreme Court from 1953 to 1979 found a striking consistency between the Court under Earl Warren and Warren Burger.[45] Indeed the study's basic conclusion was that the Burger Court did *not* evidence a greater inclination to deny access to the federal courts than did its predecessor. Whereas the Burger Court established precedents that evidence a renewed concern with the rules of justiciability, the Court also built upon Warren Court decisions relaxing these rules.[46] The upshot is a Court that now finds itself in the uniquely powerful position of having established recent precedent that can be used either to deny or grant litigants access to the federal courts without flagrant abuse of judicial standards. This flexibility permits the Court to husband and expend its resources, resulting in a far more independent and political Supreme Court than ever before.

[43] *Warth v. Sedlin*, 422 U.S. 490 (1975).

[44] *Younger v. Harris*, 401 U.S. 37 (1971). See also *Hicks v. Miranda*, 422 U.S. 332 (1974); *Huffman v. Pursue, Ltd.*, 420 U.S. 592 (1975); *Rizzo v. Goode*, 423 U.S. 362 (1976).

[45] William Atkins and Burton Taggart, "Substantive Access Doctrines and Conflict Management in the U.S. Supreme Court: Reflections on Activism and Restraint" in Stephen Halpern and Charles Lamb, *Supreme Court Activism and Restraint* (Lexington, Mass.: Lexington Books, 1982).

[46] For example, Kenneth C. Davis characterized *United States v. SCRAP*, 412 U.S. 669 (1973) as the "all-time high in Supreme Court liberality on the subject of standing." Kenneth C. Davis, *Administrative Law of the Seventies* (Rochester, N.Y.: Lawyers Cooperative Publishing Co., 1976), 489. See Laurence Tribe, *Constitutional Choices* (Cambridge, Mass.: Harvard University Press, 1985), chap. 8 for a discussion of several recent cases that illustrate the Burger Court's flexible approach to standing.

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Roe v. Wade[47] provides an important example. Although the nation's abortion laws prior to the Court's decision in *Roe* in 1973 were among the most restrictive in the world, the late 1960s saw considerable reform activity in many state legislatures and the outright repeal of several restrictions on abortions.[48] These developments, coupled with the growth of the women's rights movement, placed the issue of abortion rights on the public agenda. Change may have not been immediate or sweeping, but the inescapable fact was that by the early 1970s abortion was part of mainstream politics. At the same time, the obstacles to a judicial resolution of the problem were formidable. Not only was it impossible to say that the country had reached consensus on the abortion question, but the legal basis for a constitutional right to abortion choice rested on recent and admittedly shaky precedent.[49] Moreover, the abortion cases inevitably presented serious justiciability problems.[50] Many criminal abortion statutes, for example, made the performance of an abortion a crime; the party directly affected was the physician, and yet the doctor could be found to lack standing to assert the constitutional rights of his or her patients. A pregnant woman seeking a declaratory judgment regarding her right to an abortion would unquestionably be met with a claim of mootness during long and complicated trial and appellate procedures. For a jurist schooled in the wisdom of the *Ashwander* doctrine, abortion was an issue that could and should be left to the democratic process.

Yet the Burger Court seized the opportunity to reach the merits in *Roe*, quickly dispensing with threshold justiciability issues to secure a woman's right to an abortion at least during the first trimester of pregnancy. Reaching the merits of a similar claim in a similar posture would have been unthinkable twenty-five years earlier. The erosion of the self-imposed limits on the exercise of judicial power coupled with a growing acknowledgment of an identifiable woman's political interest made this controversial issue palatable to the Court despite the absence of virtually any presidential support for the result. This trend continues unabated; a flexible approach to the question of justiciability permits the federal judiciary to screen cases on the basis of the substantive merits of any claim and, if desired, the character of the political interests asserting the claim.[51]

This is a significant development. In the years following the New Deal the Court's agenda often derived from that of the executive branch. The activism of the Warren Court of the 1960s, conceived to serve executive power, also vested in the judiciary

[47] *Roe v. Wade*, 410 U.S. 113 (1973).

[48] For example, twenty-eight state legislatures considered reform legislation during the 1967 legislative session; New York, Hawaii, and Alaska repealed restrictions on abortions up to at least the twentieth week of pregnancy.

[49] The critical precedent for establishing a constitutional component to the abortion issue was *Griswold v. Connecticut*, 381 U.S. 479 (1965) in which Justice William O. Douglas, writing for a sharply divided Court, identified a constitutional right of privacy found in the "pneumbras formed by the emanations" from the specific enumerated rights found in the Bill of Rights.

[50] See Eva Rubin, *Abortion, Politics and the Courts* (Westport, Conn.: Greenwood Press, 1982), 32–36.

[51] Tribe, *Constitutional Choices*, chap. 8 discusses several cases illustrating this point.

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the means of achieving a greater degree of political independence. The federal judiciary of the 1970s and 1980s inherited new tools of judicial power and the constituency support to sustain the use of these tools. One manifestation of these developments is a judicial agenda that only occasionally coincides with that of the president. The Burger Court expanded the judicial protection of commercial interests to a far greater degree than the Warren Court and although the Reagan administration would certainly applaud these efforts, the Court nonetheless failed to simply ratify the Reagan program.[52] The Burger Court steadfastly resisted administration attempts to overturn recent precedent establishing a heightened standard of review to determine gender discrimination under the Equal Protection Clause.[53] While Attorney General Meese may have drawn some comfort from the Court's constrained efforts on behalf of criminal defendants, the Court was unreceptive to the administration's frontal assault on abortion rights.[54] During the 1984 term of the Court, the Reagan administration appeared before the Court as amicus in several important church-state cases; in each the President's position failed to win support of a majority of the justices.[55] The 1985 term of the Court provided more of the same. The Court resoundingly rejected the solicitor general's arguments to end abortion rights, to restrict the scope of the 1982 Voting Rights Act amendments, to end all affirmative action plans, and to limit the procedural rights of mentally handicapped welfare recipients.[56]

Thus it is hardly surprising that Attorney General Meese has characterized the Burger Court as "idiosyncratic" and prone to "arbitrary discretion."[57] These characterizations are at once revealing and misleading. The activism of the Burger Court

[52] A recent analysis of the Burger Court antitrust decisions, for example, concludes that, compared to the Warren Court, the Burger Court is "less suspicious of business motivation" and "likely to be less sympathetic to various antibusiness presumptions." Markovits, "The Burger Court, Antitrust and Economic Analysis" in Blasi, ed., *Burger Court*. In *Securities Industry Association v. Bd. of Governors of the Federal Reserve System*, 468 U.S. 137 (1984), for example, the Court refused to further the administration's policy of bank deregulation when it overturned the Federal Reserve's plan to permit banks to underwrite commercial paper. See also, *Merrill, Lynch, Pierce, Fenner and Smith v. Curran*, 456 U.S. 353 (1982) in which the Court found, despite strong administration objections, a private right of action in amendments to the Commodity Exchange Act.

[53] Although the Burger Court has refused to find sex a suspect classification, see *Frontiero v. Richardson*, 411 U.S. 67 (1973). The Court has continued to apply an intermediate level of heightened scrutiny to sex classifications. See *Mississippi University for Women v. Hogan*, 458 U.S. 718 (1982). In the latter case, administration officials sought unsuccessfully to have the solicitor general intervene to defend single-sex programs. See Witt, *A Different Justice*, 109.

[54] See *Akron v. Akron Center for Reproductive Health*, 462 U.S. 416 (1983).

[55] *Wallace v. Jaffree*, 472 U.S. 38, 105 S. Ct. 2479 (1985); *Grand Rapids School Dist. v. Ball*, 472 U.S. 373 (1985); *Aguilar v. Felton*, 473 U.S. 402 (1985); *Estate of Thornton v. Caldor, Inc.*, 472 U.S. 703 (1985).

[56] *Thornburg v. American College*, 106 S. Ct. 2169 (1986) (abortion); *Local 28 v. EEOC*, 106 S. Ct. 3019 (1986) and *Local 93 v. Cleveland*, 106 S. Ct. 3063 (1986) (affirmative action); *Bowen v. City of New York*, 106 S. Ct. 2022 (1986) (handicapped welfare rights); *Thornburg v. Gingles*, 106 S. Ct. 2752 (1986) (voting rights).

[57] Witt, *A Different Justice*, 173, 180.

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appeared idiosyncratic simply because its direction, unlike the activism of its immediate predecessors, was no longer determined by presidential politics. Basic to our understanding of post-New Deal judicial activism has been a constitutional jurisprudence keyed to the agenda of the president; any sustained activity of the Court not explainable in these terms appears idiosyncratic, particularly to a member of the president's cabinet. Nevertheless, evaluating judicial actions on the basis of the post-New Deal paradigm is becoming increasingly misleading. The Court has the potential for greater independence because it now has greater resources to shape public policy and means to serve constituencies of its own. From this perspective, the current exercise of judicial power is neither arbitrary nor idiosyncratic. Indeed the activities of the judiciary currently mirror the pluralistic, group-based politics of the other branches. Legislative campaigns to limit the power of the federal judiciary engineered by interests opposed to judicial intervention in school prayer, abortion, and school desegregation have been countered by powerful coalitions of civil rights organizations, women's groups, doctors, educators, liberal Jewish and Protestant organizations, as well as bar associations and law professors from elite universities.[58] The inescapable lesson for members of the elected branches of government is that a vote to limit the power of the federal courts is not without serious political costs.

A review of the recent dispute involving the Reagan administration, the federal judiciary, and Social Security disability claimants reinforces this conclusion. In 1981 the Reagan administration began a review of the eligibility rolls of the Social Security Disability Insurance program, notifying over 490,000 recipients that they no longer were eligible.[59] Of those who appealed, over 200,000 were eventually reinstated. To limit the impact of these adverse appellate rulings, the Social Security Administration announced a policy of "nonacquiescence" with respect to decisions of lower federal courts. That is, the Social Security Administration declared that it would obey adverse rulings by the federal courts only with respect to the successful litigant in the particular case, refusing to apply the ruling to similar situations and similar claims even within the same judicial circuit. The only rulings recognized as precedent would be those of the United States Supreme Court, but because the Social Security Administration refused to appeal adverse decisions to the Court, these precedents would be few and far between.[60] In short, the Reagan administration, frustrated by the judiciary in this particular attempt to cut Social

[58] See "Statutory Limitations on Federal Jurisdiction," testimony before the House Subcommittee on Courts, Civil Liberties and Administration of Justice, June, July 1983; "Prayer in Public Schools and Buildings: Federal Court Jurisdiction," testimony before the House Subcommittee on Courts, Civil Liberties and Administration of Justice, July, August, September 1980.

[59] A review of the dispute and the legislative history of the Social Security Benefits Reform Act of 1984 appears in *Congressional Quarterly Weekly Review*, 22 September 1984, 2332–2334.

[60] The details of the administration's position regarding the impact of Court rulings are set forth in a page one article by Robert Pear in the *New York Times* on 13 May 1984 entitled "U.S. Flouts Courts in Determination of Benefits Claims."

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Security costs, sought to limit the power of the judiciary through a policy of nonacquiescence.

Almost immediately, a political firestorm erupted. Media critics assailed the administration not simply for its policy on Social Security benefits but also for the attack on the independence of the judiciary.[61] Groups quickly linked their interest in expanding Social Security benefits with judicial independence and sought legislation that not only amended eligibility standards but also reaffirmed "the rule of law" and required Social Security to appeal adverse rulings or apply lower court rulings throughout the judicial circuit.[62] The measure adopted by the House in a 410 to 1 vote contained precisely such a provision.[63] Although the final bill reported from a joint House-Senate Conference Committee did not, the conferees included language in their final report discouraging the administration from pursuing the policy of nonacquiescence.

The passage of the Social Security Disability Benefits Reform Act in 1984 did not conclude the dispute. The administration modified, but did not totally abandon, the nonacquiescence policy.[64] Political pressure on the administration resumed in 1985 when a congressional subcommittee met to determine whether the administration was complying with the letter and spirit of the new law.[65] Several weeks later the administration was ordered by a federal judge in a New York class-action suit to abandon totally the policy of nonacquiescence.[66] As the administration retreated, the *New York Times* revealed previously undisclosed Reagan administration plans to seek legislation to remove the power to hear Social Security cases from the federal courts and create a new, specialized "Social Security Court." Not surprisingly, the same interest groups that supported the federal courts in the nonacquiescence fight once again rose to the defense of the federal judiciary.[67]

The dispute over disability benefits illustrates the importance of the judiciary's links with political and social forces. The overwhelming, bipartisan support of the House version of the reform measure clearly was not the product of deep-seated congressional respect for the integrity of the federal judiciary. The 410 to 1 vote margin was, however, obvious testimony to the political importance of the

[61] See Anthony Lewis, "A Profound Contempt," *New York Times*, 21 May 1984.

[62] See, for example, testimony before the House Subcommittee on Social Security, 90th Cong., 1st sess. 30 June 1983 as well as testimony before the Senate Finance Committee, 98th Cong. 2nd sess. on 25 January 1984. Among the groups appearing to insure the integrity of the judicial system were the National Senior Citizens Law Center, the Save Our Security Association, the Commission on Legal Problems of the Elderly, the National Mental Health Association, the American Foundation of the Blind, and the National Governor's Association.

[63] See HR 3755-H Rept 98-1039 98th Congress, 2nd sess. The Senate version of the bill required the Social Security Administration to notify Congress and print in the *Federal Register* an explanation of the administration's decision to acquiesce or not acquiesce in decisions of the Courts of Appeals.

[64] Robert Pear, "Administration Will Drop Efforts to Halt Benefits for the Disabled," *New York Times*, 4 June 1985.

[65] Jeffrey Schmalz, "Panel Questions Policy on Disability Benefits," *New York Times*, 9 June 1985.

[66] "US Told to Use Court Precedent in Denying Aid," *New York Times*, 20 August 1985.

[67] Robert Pear, "New Court Sought for Benefit Cases," *New York Times*, 9 March 1986.

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groups seeking to preserve Social Security benefits, and in this instance the federal judiciary was the beneficiary of this political influence.

Increasingly, powerful political and social forces are finding that the courts can be important institutional allies. First, the flexibility inherent in current considerations of justiciability permits greater access to the federal judiciary. At the same time, as more interests are asserted in the judicial arena, the courts' influence in the policy-making process is increased. Moreover, innovations in the scope and nature of judicial remedies result in a greater judicial capacity to serve the needs of powerful political forces. Finally, as the tale of the administration's futile attempts to pursue the policy of nonacquiescence makes clear, these same political forces will work to see that the judiciary retains the power to continue this expanded role.

A Reagan Revolution?

President Reagan's nomination of William Rehnquist as chief justice and Antonin Scalia as associate justice may well result in important changes in the decisions of the Supreme Court over the next several years. It is doubtful, however, that the Rehnquist Court will meet the expectations of the executive branch. The federal judiciary is not the same institution that it was before the events of the 1960s. The jurisprudential changes wrought by the Warren Court and institutionalized by the Burger Court have made the federal judiciary potentially more independent than at any time during its history. The opportunity for the president to transform the Court and the federal judiciary through the appointment power has narrowed considerably, because the nature of judicial power and the judiciary's relationship to the other branches has changed. No longer is the judiciary the "least dangerous branch" envisioned by the framers, nor is the Court an appendage of executive politics. Perhaps for the first time in the history of the Republic we truly have an independent and coequal judicial branch.

Soon after his 1982 appointment by President Reagan to the Court of Appeals for the District of Columbia Circuit, Antonin Scalia was invited to give the Ninth Donahue Lecture at Suffolk University Law School.[68] During his career as a law professor he had often written of the need to confine the permissible scope of judicial policy making in a constitutional democracy. The Donahue Lecture expanded on that theme as Judge Scalia examined the effect of the liberalization of the standing doctrine on the separation of powers. Concluding that the doctrine was an important component of the separation of powers principle, Scalia warned that disregarding the rules governing standing "will inevitably produce—as it has during the past few decades—an overjudicialization of the process of self-governance."[69]

[68] A revised version of his talk appears in *Suffolk Law Review* 17 (Winter 1983): 881.
[69] Ibid., 881.

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The intriguing question, in light of Justice Scalia's rapid advance from law professor to judge, is whether these same views will play a decisive role in his deliberations on the bench. Can we reasonably expect Justice Scalia—as opposed to Professor Scalia—to surrender the powers fashioned by the Warren and Burger Courts? Recent Court history suggests that the answer is no. Given the Court's new capacity to influence national policy, the temptation for justices with strong views, be they liberals or conservatives, to use judicial power is very great. Indeed, Scalia's recent votes upholding the Fourth Amendment claims of a criminal defendant and against the Federal Election Commission may be early indications that at least some of his enthusiasm for judicial restraint was left in the classroom.[70] Our belief is that the Court will continue to pursue its own agenda, whatever the interests of the executive branch.

[70] See *Arizona v. Hicks*, 107 S. Ct. 1149 (1987); also *Federal Election Commission v. Massachusetts Citizens for Life, Inc.*, 107 S. Ct. 616 (1986).

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Expanding Social Benefits: The Role of Social Security

G. JOHN IKENBERRY
THEDA SKOCPOL

On 14 August 1935, President Franklin Roosevelt signed the Social Security Act, the charter law for the closest approximation the United States would achieve to a modern "welfare state," or system of public protections for citizens against the hazards of old-age, unemployment, ill health, disability, and poverty. The programs included in the "big bang" of reforms signed into law on this one watershed day had some very distinctive patterns that have largely survived and shaped the provision of public benefits in the United States to the 1980s.[1] Health insurance was omitted altogether from the Social Security Act, but there were three other major parts to the legislation as proposed and passed: unemployment insurance; public assistance; and old-age insurance.

Despite proposals for a more nationally uniform approach, unemployment insurance was instituted as a federal-state system, with authority left to the states to collect contributions from employers and employed workers and to provide benefits to eligible workers who later became unemployed. Over subsequent decades, taxation and benefits would become quite uneven across the states. It would also prove impossible to reform this system to pool risks of economic downturns

[1] The conception of the Social Security Act as a "big bang" of policy innovations, thereafter enduring relatively unchanged, comes from Christopher Leman, "Patterns of Policy Development: Social Security in the United States and Canada," *Public Policy* 25 (Spring 1977): 261–91.

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on a national basis and to mesh the operations of unemployment insurance with Keynesian principles of national economic management.[2]

Public assistance was a set of programs already existing in certain states by the early 1930s, for which the federal government would henceforth share costs. Assistance for the elderly poor and for dependent children were the most important programs. The states were accorded great discretion to decide benefit levels and, in practice, methods of administration. Over time, as old-age insurance expanded to cover virtually all retired employees in the United States, federal old-age assistance became proportionately less important than it was in the 1930s and 1940s. Meanwhile, by the 1960s the aid to dependent children program (slightly retargeted to become Aid to Families with Dependent Children (AFDC), which provides benefits to caretakers as well as the children themselves,) expanded enormously.[3] AFDC, often disparagingly labelled "welfare," has very uneven standards of eligibility, coverage, and benefits across the states, generally providing the least to the poorest and weakest people in the poorest states and leaving many impoverished men and husband-wife families without any coverage at all.[4]

The respectable part of American public social provision has now appropriated the term "social security," which originally encompassed the whole. The centerpiece of social security is the one program originally established on an entirely national basis in 1935: old-age insurance. Payroll taxes are collected from workers and their employers across the country and held in a special federal fund; ultimately, retired workers collect benefits roughly gauged to their employment incomes. After 1935, additional programs were added under this contributory insurance rubric: for survivors (1939); for disabled workers (1956); and for retirees in need of medical care (1965). What is more, old-age insurance expanded enormously in the United States, as more and more workers were incorporated by the 1950s, and then benefit levels were repeatedly raised by Congress.[5]

In sum, the American system of public social provision fashioned under the aegis of the Social Security Act of 1935 has never become comprehensive or truly national, and it has remained a system that only partially offsets the distributional profile of incomes and benefits generated by the private market.[6] In contrast to the situation in Britain since the Beveridge reforms instituted after World War

[2] See Joseph M. Becker, "Twenty-Five Years of Unemployment Insurance," *Political Science Quarterly* 75 (1960): 481–99; and Edward J. Harpham, "Federalism, Keynesianism, and the Transformation of Unemployment Insurance in the United States" in Douglas Ashford and E.W. Kelley, eds., *Nationalizing Social Security in Europe and America* (Greenwich, Conn.: JAI Press, 1986).

[3] See Winifred Bell, *Aid to Dependent Children* (New York: Columbia University Press, 1965).

[4] Norman Furniss and Timothy Tilton, *The Case for the Welfare State: From Social Security to Social Equality* (Bloomington: University of Indiana Press, 1977), 170; and Harrell R. Rodgers, Jr., *The Cost of Human Neglect: America's Welfare Failure* (Armonk, N.Y.: M.E. Sharpe), 56–62.

[5] Martha Derthick, *Policymaking for Social Security* (Washington, D.C.: The Brookings Institution, 1979).

[6] Furniss and Tilton, *Case for the Welfare State*, 179–83. This book develops overall contrasts among the British, Swedish, and U.S. systems for public social provision.

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II, national standards have not been established in the United States for all public benefits; social security for deserving people has been firmly bifurcated, both institutionally and symbolically, from "welfare" for dubiously deserving ones. Equally in contrast to developments under Social Democracy in Sweden, there have been no possibilities in the federally uneven and fiscally insulated U.S. social benefits system for coordinating welfare provision with nationally rationalized public interventions in the macroeconomy and in labor markets. In the United States, various social benefits programs are operationally, fiscally, and symbolically separated from one another, and they are all kept quite apart from the other things the national government may be doing in the economy and society.

Explaining Public Social Provision in the United States

We will sketch an explanation for why public social benefits in the United States took the shape they did in the Social Security Act and its aftermath. Our primary contribution will be to trace the political and institutional underpinnings of the "political learning"—the "collective puzzlement on society's behalf" by reformers and policy-relevant experts[7]—from which the Social Security Act and its administration took their inspiration. Like Hugh Heclo, we take policy ideas and their carriers very seriously. But more than Heclo does, we stress how policy ideas about social insurance and other forms of public social benefits have been reworked over time as the carriers of these ideas dealt with the basic organizational features of the U.S. state structure and democratic polity. Decentralized federalism, the legacies of the patronage-oriented forms of democratic politics that prevailed in the nineteenth-century United States, the weakness and fragmentation of the new realms of public administration built from the late nineteenth century onward, and public policy-making processes centered in legislative logrolling rather than in programmatic political parties or executive planning agencies—all of these features of the distinctive American state structure have affected the ideas and modus operandi of U.S. advocates of modern social benefits programs. They can, therefore, help us to account for the distinctive shape taken by social insurance and public assistance in the United States. Our analysis will begin in the Progressive Era, move through crucial state-level developments in the 1920s, and culminate in a discussion of the New Deal's Social Security Act and its subsequent administration.

It makes sense to highlight briefly how and why our explanatory approach differs from another interesting line of argument about the formation of America's programs of public social provision. The United States has typically been interpreted as "exceptional" in international terms, because of the extreme strength of liberal values (or market-capitalist ideologies) and the "weakness" of organized labor as a distinctive political force.[8] At the same time—as the positive accompaniment

[7] Hugh Heclo, *Modern Social Politics in Britain and Sweden* (New Haven, Conn.: Yale University Press, 1974), 305, and chap. 6 in general.

[8] For a review and critique of explanations of American exceptionalism with respect to the develop-

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to such explanations for why the United States did not experience public welfare developments paralleling those in major European nations – historians of U.S. social politics have often depicted corporate-capitalist business leaders as the arbiters of programmatic developments in the public sector. The most sophisticated version of this view to be published to date is Edward Berkowitz's and Kim McQuaid's 1980 book, *Creating the Welfare State.*[9]

Berkowitz and McQuaid creatively synthesize ideas from neo-Marxist arguments about the hegemonic role of liberal corporate-capitalists in modern American politics with the basic framework of the "organizational synthesis" school of historiography founded by business historian Alfred Chandler.[10] For this school, the master developmental trend of twentieth-century American history is the growth of functionally specialized bureaucratic organizations in the private economy and public spheres alike. According to Berkowitz and McQuaid, the key to understanding U.S. social welfare provision lies in the fact that large capitalist corporations originally had an "organizational comparative advantage" over the federal government, and therefore took the lead in creating social benefits and other employee welfare programs and in fashioning the appropriate structures to administer them. Then, during the massive crisis of the Great Depression, corporate welfare capitalism faltered and the federal government, which had previously lagged in programmatic and bureaucratic development, was politically compelled to step into the breach. But liberal welfare capitalists were able to help shape the emerging Social Security system and, at least initially, the new public managers of old-age insurance had to borrow organizational techniques from private industrial corporations and insurance companies.[11]

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ment of the modern welfare state, see Ann Shola Orloff and Theda Skocpol, "Why Not Equal Protection?: Explaining the Politics of Public Social Spending in Britain, 1900–1911 and the United States, 1880s-1920," *American Sociological Review* 49 (December 1984): 726–750. For some characteristic treatments of the U.S. case, see Gaston V. Rimlinger, *Welfare Policy and Industrialization in Europe, America, and Russia* (New York: Wiley, 1971), 62–86, and chap. 6; Kirsten A. Gronbjerg, David Street, and Gerald D. Suttles, *Poverty and Social Change* (Chicago: University of Chicago Press, 1978); and John D. Stephens, *The Transition from Capitalism to Socialism* (London: Macmillan, 1979), 149–56.

[9] Edward Berkowitz and Kim McQuaid, *Creating the Welfare State: The Political Economy of Twentieth-Century Reform* (New York: Praeger, 1980). Classic statements of the corporate-liberalism thesis appear in Barton J. Bernstein, "The New Deal: The Conservative Achievements of Liberal Reform" in Barton Bernstein, ed., *Towards a New Past* (New York: Random House, 1968), 263–89; William Domhoff, *The Higher Circles* (New York: Vintage Books, 1970); Ronald Radosh, "The Myth of the New Deal" in R. Radosh and N. Rothbard, eds., *A New History of Leviathan* (New York: Dutton, 1972), 146–87; and James Weinstein, *The Corporate Ideal in the Liberal State* (Boston: Beacon Press, 1968). A recent analysis of the origins of the Social Security Act that stresses the role of corporate leaders is Jill S. Quadagno, "Welfare Capitalism and the Social Security Act of 1935," *American Sociological Review* 45 (October 1984): 632–647.

[10] Louis Galambos, "The Emerging Organizational Synthesis in American History," *Business History Review* 44 (Autumn 1970): 279–90. Alfred Chandler's own most important work is *The Visible Hand: The Managerial Revolution in American Business* (Cambridge, Mass.: Harvard University Press, 1977).

[11] Berkowitz and McQuaid, *Creating the Welfare State*, chap. 5.

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Provocative and sophisticated though it is, Berkowitz's and McQuaid's argument grounds the essential dynamics of U.S. social politics in the corporate-capitalist sphere, and ends up presenting an oddly nonpolitical explanation of both the agents and the structures that shaped the federal Social Security system. Contrary to the picture they present, the lineage of progressive capitalist experiments with intracorporate employee welfare programs was not the primary stream of policy intelligence and programmatic experimentation that fed into the formation of the Social Security Act. From the Progressive Era onward, professional experts and politically active reformers looking for policies to embody "the public interest" participated in transnational debates about social insurance and public welfare. These policy innovators were oriented not simply to business and its needs for profits and economic efficiency, but primarily to existing or potential structures of public administration and political decision making at federal and state levels.

Indeed, Berkowitz and McQuaid are remarkably vague and brief in discussing the structural and intellectual bases on which federal policy innovators in 1934–1935 actually built the new federal social insurance and public assistance programs. Nor do they highlight the central paradox of the Social Security Act from the point of view of welfare capitalists: the handful of liberal-capitalist leaders of large private corporations who participated in the drafting of the Social Security Act wanted a more *nationally uniform* system of unemployment insurance than the one adopted in the New Deal. If the federal government was going to displace the private efforts of corporations—something which ideally the liberal capitalists would have preferred to avert—then at least they wanted uniform taxes and benefits for employers and employees, putting all enterprises on the same competitive basis. However, the system of unemployment insurance actually proposed by the Roosevelt administration and legislated by Congress was a much more Balkanized federal-state system that frustrated such hopes for national economic rationalization. An approach that traces the distinctively *political* roots of U.S. social benefits can better explain their programmatic features.

The Failure of Progressive Social Insurance Reform

In the two decades preceding World War I, many social insurance ideas appropriated from abroad were studied and debated in the United States within a small but growing network of social reformers. Social insurance advocates self-consciously engaged in a form of public education and envisaged an American transformation of the sort occurring in Europe, with the national government—or many state governments[12]—sponsoring and underwriting social insurance programs. However, most proposals for social insurance reforms in the Progressive Era failed to take hold; only state-level laws requiring workers' compensation were successful.

[12] On the Progressive reform strategy of seeking parallel laws across (especially adjacent) states, see William Graebner, "Federalism in the Progressive Era: A Structural Interpretation of Reform," *Journal of American History* 64 (September 1977): 331–57.

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While social insurance ideas came to America and were given wide exposure during this period, fundamental political constraints restricted their practical political expression to state-level regulatory commissions.

The early students of social insurance were highly educated, most were social scientists or labor analysts, and they occupied a variety of university, government, and corporate positions.[13] Initial efforts by these individuals involved the detailed examination of European ideas and programs and the analysis of their relevance for the United States. The first American book on social insurance was published in 1898 by an economist working for the United States Department of Labor; it developed the theme that unemployment is beyond the control of individual workers and that various combinations of employers, employees, and government should provide protection.[14] Later, two of the most influential statements of social insurance ideas originated as a lecture series sponsored by the New York School of Philanthropy: one in 1910 by Columbia Professor Henry Rogers Seager, and the other in 1912 by Isaac Max Rubinow, chief statistician of the Ocean Accident and Guarantee Corporation and a former statistical expert at the U.S. Bureau of Labor.[15]

What is striking in these early indictments of private, voluntary, and individualistic schemes of worker protection was the major new role envisaged for the state. "The characteristic common to most of the policies I have advocated is that they call for vigorous governmental action . . ." Seager argued. "By cooperative action, impelled when necessary by the compulsory authority of the state, we can give stability to the incomes of wage earners and oppose that downward pressure which now so constantly recruits the army of standardless, casual labor."[16] This positive attitude toward the state—conceived as disinterested public authority capable of regulating capitalism and ameliorating its unnecessary inefficiencies and injustices—was especially prominent in Rubinow's remarks contrasting public with private insurance. Compulsory and state-subsidized insurance would necessarily depart from "the true scientific principles of business insurance," wrote Rubinow; such insurance ". . . may be and has been decried as rank paternalism, and this indictment must be readily admitted. For social insurance, when properly developed, is nothing if not a well-defined effort of the organized state to come to the assistance of the wage-earner and furnish him something he individually is quite unable to obtain for himself."[17]

Proposals and debates about social insurance found organizational expression in the American Association for Labor Legislation (AALL), established in 1906.

[13] Roy Lubove, "Economic Security and Social Conflict in America: The Early Twentieth Century," part II, *Journal of Social History* 1 (Summer 1968): 325–337.

[14] William Franklin Willoughby, *Workingmen's Insurance* (New York: Thomas Y. Crowell, 1898).

[15] Henry Rogers Seager, *Social Insurance: A Program of Social Reform* (New York: Macmillan, 1910); and Isaac Max Rubinow, *Social Insurance, With Special Reference to American Conditions* (New York: Henry Holt, 1913).

[16] Seager, *Social Insurance*, 150–51.

[17] Rubinow, *Social Insurance*, 11.

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The AALL's membership, primarily academic and nonacademic social scientists, understood the purpose of the association to be the introduction of objective expertise into industrial legislation. AALL members considered themselves uniquely able to define "the public interest" in industrial and social reform—better able than capitalist employers, trade unionists, socialists, or others. Thus, in addition to interpreting and advancing notions of social insurance, these reformers became actively involved in drafting "model" legislative bills to be pressed upon elected politicians.

But the crucial determinants of legislative success and failure for social insurance ideas in this period were set by the prevailing structures of government and the overall ideological atmosphere of Progressive reform, not by the cogency of ideas or "model" legislation. Reform struggles over social policy during the Progressive Era must be understood in the context of the broad Progressive reaction against nineteenth-century U.S. patronage democracy. Within a loosely integrated federal system of "courts and parties,"[18] disparate local systems of de facto social provision flourished in post-Civil War America. Patronage-oriented political parties, seeking to incorporate and maintain constituencies and coalitions, drew upon public funds to disburse social benefits.[19]

Although the activities of these parties were grounded in local politics, nevertheless an extraordinary example of this sort of welfare provision depended upon federal social spending. This was the post-Civil War pension system which, through a series of extensions and revisions from the late 1870s onward, became a means through which politicians channeled benefits to crucial segments of the electorate. By the turn of the century about one out of every three native-born men in the North was receiving a de facto old-age pension under the guise of federal aid to Civil War veterans, and over a quarter of the federal government's budget was devoted to this purpose.[20] Congressmen, along with other party politicians, especially Republicans, vied to provide aid to "old soldiers" and their dependents.[21]

Contrary, then, to the image often held of nineteenth-century America as a total laissez-faire polity in which government left individuals on their own in the free

[18] Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877–1920* (New York: Cambridge University Press, 1982), chap. 2.

[19] See Morton Keller, *Affairs of State: Public Life in Late Nineteenth Century America* (Cambridge, Mass.: Harvard University Press, 1977), chaps. 7, 8, and 14; Richard McCormick, "The Party Period and Public Policy: An Exploratory Hypothesis," *Journal of American History* 66 (September 1979): 279–98; and John W. Pratt, "Boss Tweed's Public Welfare Program," *New York Historical Society Quarterly* 45 (October 1961): 396–411.

[20] Keller, *Affairs of State*, 311. On the estimate of the proportion of men receiving pensions, see Orloff and Skocpol, "Why Not Equal Protection?," note 8.

[21] On the role of politicians in expanding Civil War pensions see Donald M. McMurry, "The Political Significance of the Pension Question, 1885–1897," *Mississippi Valley Historical Review* 9 (June 1922): 19–36; and Heywood T. Sanders, "Paying for the 'Bloody Shirt:' The Politics of Civil War Pensions" in Barry S. Rundquist, ed., *Political Benefits: Empirical Studies of American Public Programs* (Lexington, Mass.: Lexington Books, 1980), 137–59.

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market, the United States had a precocious system of extensive public social benefits that was already in place as the "modern welfare state" was born in Europe.[22] As late as 1913, five years after Britain established its national old-age pension system, the United States through "Civil War" pensions was covering "several hundred thousand" more people at over three times the cost to the national treasury.[23] Some social insurance advocates and labor leaders thought the post-Civil War pension system should simply be reworked into a more universalistic set of programs for old-age and disability coverage.[24] Ironically, however, the opposition of Progressive Era reform opinion to the patterns of political corruption seen as associated with nineteenth-century patronage democracy severely limited the possibilities for modern social insurance innovations. Reform-minded upper- and middle-class people feared that new forms of public spending would get out of control and reinforce the corruption of political party bosses; this widespread fear hurt proposals for modern social spending. The fears of reformers and conservatives alike about the possible political abuse of government social expenditures were especially strong with regard to non-contributory old-age pensions, even though this was a modern welfare measure supported by organized labor and the general electorate.[25]

Progressive social insurance reformers shied away from non-contributory old-age pensions and were much more active in pushing for contributory insurance programs, especially for health and unemployment.[26] In Britain and continental Europe, executives and administrative bureaucracies were devising such programs of taxation and social expenditure and pressing them upon wary businessmen, labor leaders, and parliaments.[27] Yet because nineteenth-century American government had been dominated at all levels by patronage-oriented political parties, administrative apparatuses were weak and not closely tied to political executives.

During the Progressive Era, while campaigns for health and unemployment insurance failed, AALL-led campaigns for workers' compensation laws were successful. Between 1911 and 1920, forty-five states and territories passed workers' compensation laws that survived constitutional tests. Compensation disputes, previously resolved within the courts in unpredictable ways unsatisfactory to both

[22] On European developments see Peter Flora and Jens Alber, "Modernization, Democratization, and the Development of Welfare States in Western Europe" in Peter Flora and Arnold J. Heidenheimer, eds., *The Development of Welfare States in Europe and America* (New Brunswick, N.J.: Transaction Books, 1981), 37–80.

[23] Rubinow, *Social Insurance*, 404.

[24] For details see Orloff and Skocpol, "Why Not Equal Protection?"

[25] Ibid., 43–45.

[26] Ibid., 45–46; "Social Insurance," *American Labor Legislation Review* 4 (December 1914): 573–80; and "Unemployment Survey, 1914–1915," *American Labor Legislation Review* 5 (November 1915): 473–595.

[27] See Heclo, *Modern Social Politics*; Bentley Gilbert, *The Evolution of National Insurance in Great Britain: The Origins of the Welfare State* (London: Michael Joseph, 1966); and Deltev Zollner, "Germany" in Peter A. Kohler and Hans F. Zacher, eds., *The Evolution of Social Insurance, 1881–1981* (New York: St. Martin's, 1982), 1–92.

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employers and employees, were brought under the control of state legislation and in many states were administered by expert-dominated industrial commissions.[28] The industrial commission could be justified to all parties by its purported expert-based "rationality" and "efficiency."[29] The commission mechanism worked around the edges of the prevailing market system, insinuating modest levels of public arbitration and standards into social and economic life.

Thus, while there were important state-level innovations in the area of industrial regulation, the efforts of Progressive Era social insurance reformers fell short of instituting actual public spending to help citizens deal with the vagaries of ill-health, unemployment, or old age. The failure of the one Progressive campaign for social insurance that was most intense and came closest to success in key states, the campaign for health insurance, turned out to be decisive for the long run.[30] The modern medical profession in the United States consolidated its economic power and cultural hegemony in a context free of public health insurance and the kinds of public administrative leverage over health-care delivery that might have accompanied it. By the 1930s, doctors, the American Medical Association, and private insurance companies had the political clout, even in the midst of the Great Depression, to frighten New Deal reformers away from including public health insurance in the Social Security Act, for fear that opposition to it might jeopardize the entire legislative package.

In contrast, proposals for old-age benefits and unemployment insurance were to be successfully revived again after the Progressive Era. But to understand exactly how and in what distinctive forms, we must now analyze the conditions that led during the 1920s and 1930s to the triumph of one particular lineage of policy intelligence, that associated with the political and academic reformers of the state of Wisconsin.

"Welfare Capitalism" and the Development of the Wisconsin School

In the United States, the aftermath of World War I brought to an abrupt end the period of reform ferment known as the Progressive Era. During the war itself, many reform intellectuals found themselves working in or with new national administrative agencies set up to mobilize economic and human resources for the duration of the national military effort. As the example of the United States Employment Service demonstrated, reformers associated with such wartime adminis-

[28] Berkowitz and McQuaid, *Creating the Welfare State*, 33–36; and Lawrence M. Friedman and Jack Ladinsky, "Social Change and the Law of Industrial Accidents," *Columbia Law Review* 67 (January 1967): 50–82.

[29] Elizabeth Brandeis, "Labor Legislation" in Don D. Lescohier and Elizabeth Brandeis, eds., *History of Labor Legislation in the United States, 1896–1932*, vol. 3 (New York: Macmillan, 1935), 650–53.

[30] See Ronald Numbers, *Almost Persuaded: American Physicians and Compulsory Health Insurance, 1912–1920* (Baltimore, Md.: Johns Hopkins University Press, 1978); and Paul Starr, *The Social Transformation of American Medicine* (New York: Basic Books, 1982).

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trative efforts could briefly hope that they were laying the basis for permanent extensions of the federal government's social and economic role after the war.[31] Such hopes were soon dashed when the end of the war brought sharp reactions against federal programs and agencies from Congress, local governments, and many economic interests. The U.S. Employment Service—which, following the British pattern, might have created the administrative facilities for a national system of unemployment insurance—suffered draconian funding cuts by Congress right after the war and had to give up its state and local offices.[32] Most other wartime federal agencies were similarly curtailed.

Insofar as the United States would respond at all to the socioeconomic insecurities of industrialism, it would do so through "welfare capitalism" and a federal government functioning as an "associative state." Welfare capitalism refers to the entire complex of innovative labor-management practices adopted by certain highly visible U.S. companies during the 1920s—companies such as Proctor and Gamble, Eastman Kodak, and General Electric.[33] Provisions for stock ownership by workers, for employee representation plans, and for "human relations" techniques of worker supervision were typical welfare-capitalist efforts, which were, of course, often intended to preclude or supersede trade unions. In the social welfare area, moreover, many progressive managers believed that enlightened corporate action could forestall any need for public social insurance: company pension plans for loyal workers would provide for needs in old age; company safety and health-insurance benefits would prevent or compensate for injuries or sickness; and company guarantees of stable employment for workers, perhaps backed by promises to pay benefits to employees temporarily laid off, would cope with the evils of industrial unemployment.

The federal executive did its part during the decade of the 1920s to meld a continuation of the Progressive spirit of civic betterment into government-sponsored

[31] I.W. Litchfield, "United States Employment Service and Demobilization," *Annals of the American Academy of Political and Social Science* 81 (January 1919): 19–27. A fuller discussion of the rise and fall of the U.S. Employment Service during World War I appears in Theda Skocpol and John Ikenberry, "The Political Formation of the American Welfare State in Historical and Comparative Perspective," *Comparative Social Research* 6 (1983): 87–148. For a fascinating pre-war proposal to establish a federal system of public employment offices, see William M. Leiserson, "A Federal Reserve Board for the Unemployed," *Annals of the American Academy of Political and Social Science* 69 (January 1917): 103–17.

[32] Carroll H. Woody, *The Growth of the Federal Government, 1915–1932* (New York: McGraw-Hill, 1934), 371–73. Throughout the 1920s, Congress continued to block efforts to establish a national system of public employment offices, and when the coming of the Depression finally spurred Congress to pass a bill in 1931, President Hoover vetoed it. By 1929, all major industrialized nations except the United States had adopted national agencies of this sort. See Paul H. Douglas and Aaron Director, *The Problem of Unemployment* (New York: Macmillan, 1931), 289–91.

[33] On "welfare capitalism" (or the "New Emphasis") see Nelson, *Unemployment Insurance*, chaps. 2, 3, and pp. 73–78; Berkowitz and McQuaid, *Creating the Welfare State*, chap. 3; Stuart D. Brandes, *American Welfare Capitalism, 1880–1940* (Chicago: University of Chicago Press, 1976); and especially David Brody, "The Rise and Decline of Welfare Capitalism," in his *Workers in Industrial America: Essays on the 20th Century Struggle* (New York: Oxford University Press, 1980), 48–81.

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activities strictly in tune with the ideals—and limits—of welfare capitalism. Convening a national Conference on Unemployment during the severe recession of 1921, President Warren Harding made it clear that he would "have little enthusiasm for any proposed relief which seeks either palliation or tonic from the federal treasury."[34] Instead, Herbert Hoover (initially as secretary of commerce and then as president) conducted the federal government as an anti-bureaucratic "associative state."[35] Professional experts, businessmen, and leaders of industrial associations and responsible trade unions were urged by Hoover to cooperate with one another in a search for non-statist solutions to the nation's economic and welfare problems.

Within the ideological and practical limits set by welfare capitalism and the associative state in the 1920s, a few expert reformers gained influence and experience that would give them a central role when nationwide conditions for welfare reforms again became propitious in the 1930s. The balance of ideas and influence within the U.S. social insurance movement was profoundly affected by the fact that during the 1920s further legislative innovations occurred only in a few states. In this situation, "capitalist regulation," defined and administered by state-level industrial commissions and led by the Wisconsin school of reform, emerged to dominate debates on social policy during the years leading into the Great Depression. An alternative "Ohio plan," envisaging a much stronger public role in social insurance, finally developed, but only as a minor counterpoint to the greater influence of Wisconsin reform ideas.

The centrality of Wisconsin experts and politicians to American social insurance debates after the Progressive Era is not comprehensible in terms of prevalent theories of welfare-state development.[36] Wisconsin was never the leading industrial state in the United States. It was not the headquarters of prominent welfare-capitalist corporations. Nor was it the leading center of trade unionism or labor radicalism. The state of Wisconsin was, however, the earliest center of successful state-level Progressive reform, dating from the 1890s and the election of Robert La Follette as governor in 1901.[37] Wisconsin Progressivism was not purely an urban

[34] Quoted in William L. Chenery, "Unemployment at Washington," *The Survey* (8 October 1921), 42.

[35] See Ellis W. Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State,' 1921–1928," *Journal of American History* 61 (June 1974): 116–40; and Joan Hoff Wilson, *Herbert Hoover: Forgotten Progressive* (Boston: Little, Brown, 1975), chap. 4.

[36] Available theories primarily emphasize socioeconomic determinants, viewing the development of public welfare policies either as a by-product of industrialization and urbanization, or as the political achievement of strong unions and working class-based parties. See the discussion in Orloff and Skocpol, "Why Not Equal Protection?" 4–14. See also Edwin Amenta, Elisabeth Clemens, Jefren Olsen, Sunita Parikh, and Theda Skocpol, "The Political Origins of Unemployment Insurance in Five American States," forthcoming in *Studies in American Political Development* 2 (1987) (New Haven: Yale University Press).

[37] See David P. Thelen, *The New Citizenship: The Origins of Progressivism in Wisconsin, 1885–1900* (Columbia: University of Missouri Press, 1972); Robert S. Maxwell, *La Follette and the Rise of the Progressives in Wisconsin* (Madison: State Historical Society of Wisconsin, 1956); and Herber F. Mar-

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phenomenon either, for farmers, especially those of Scandinavian ethnic stock, were important supporters of LaFollette and other Wisconsin reform politicians.[38]

Even more important, Wisconsin was the state where reform-oriented professional experts and academic intellectuals worked out the earliest, most sustained, and practically most effective relationships with state-level politicians, including the members of successive state legislatures as well as both progressive and conservative governors.[39] Before the 1920s, these relationships were well institutionalized in the ties among the state legislature and executive branch; the University of Wisconsin, a nationally prestigious research university that was simultaneously devoted to public extension work, popular education, and public service in its home state;[40] the Wisconsin Industrial Commission established in 1911 to administer workers' compensation and all other labor regulations in the state; and the Wisconsin Legislative Reference Library, established to allow qualified experts to help Wisconsin legislators draft laws and research their policy ideas.[41] The ideas and the students of University of Wisconsin labor economist John R. Commons were at work throughout this remarkable nexus of policy expertise and political and administrative practice.[42]

The distinctive mode of social reform articulated by Commons and embodied in Wisconsin's social policy nexus came to be known as the "preventive approach."[43] Its essential premise was the notion that employment could be stabilized, industrial accidents reduced, and the general welfare of workers enhanced through the crafting of labor regulations that offered financial rewards to employers who behaved in efficient and humane ways. Commons called for regulatory laws offering rewards or punishments for individual firms according to their performance. He

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gulies, *The Decline of the Progressive Movement in Wisconsin, 1890–1920* (Madison: State Historical Society of Wisconsin, 1968).

[38] David L. Brye, "Wisconsin Scandinavians and Progressivism, 1900–1950," *Norwegian-American Studies* 27 (1977): 163–93.

[39] See Charles McCarthy, *The Wisconsin Idea* (New York: 1912); and Theron F. Schlabach, *Edwin Witte: Cautious Reformer* (Madison: State Historical Society of Wisconsin, 1969), chap. 3.

[40] See Laurence R. Vesey, *The Emergence of the American University* (Chicago: University of Chicago Press, 1970 paperback edition; first published 1965), 107–109; Henry F. May, *The End of American Innocence* (Chicago: Quadrangle Books, 1964; originally 1959), 99–101; Arthur J. Vidich and Stanford M. Lyman, "Secular Evangelism at the University of Wisconsin," *Social Research* 49 (1982): 1068–70; and (for general background) Merle Curti and Vernon Carstensen, *The University of Wisconsin: A History, 1848–1925*, 2 vols. (Madison: University of Wisconsin Press, 1949).

[41] See Schlabach, *Edwin Witte*, chap. 3; John R. Commons, "Constructive Investigation and the Industrial Commission of Wisconsin," *The Survey* 29 (4 January 1913): 440–48; A.J. Altmeyer, *The Industrial Commission of Wisconsin* (Madison: University of Wisconsin Studies in the Social Sciences and History, no. 17, 1932); and J.H. Leek, *Legislative Reference Work: A Comparative Study* (Ph.D. dissertation, Department of Political Science, University of Pennsylvania, 1925). Leek shows that Wisconsin was a leader in legislative reference work and unusually combined both bill-drafting and research services in a single agency.

[42] Schlabach, *Edwin Witte*, chaps. 2 and 3.

[43] Nelson, *Unemployment Insurance*, chap. 6; and Layfayette G. Harter, Jr., *John R. Commons: His Assault on Laissez-Faire* (Corvallis: University of Oregon Press, 1962).

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also emphasized the central role of state-level industrial commissions; staffed by experts, these would insure the continuous, coordinated enforcement of labor regulations through negotiation with responsible employers and unions. Commission researchers could also investigate labor conditions and recommend administrative and legal innovations.[44]

Above all, Commons's preventive approach sought to apply to problems of industrial unemployment governmental methods that the Wisconsin Industrial Commission had already applied in the area of workers' compensation for industrial accidents. "Professor Commons was struck by the pressure which workmen's compensation had placed upon employers to reduce accidents in order to reduce premium payments. He came to believe that if unemployment were made a burden upon the employers they would seek in a similar fashion to reduce it."[45] Consequently, proposals for unemployment insurance in Wisconsin—destined to lead to the nation's first unemployment insurance law in 1932—taxed employers *only* for the purpose of setting up "unemployment reserves" for individual industries or (ultimately) particular companies. Employers with stable employment would avoid further taxes. Those that laid off employees would have funds for temporary unemployment compensation. But there would be no industry-wide insurance pool, and the state itself would not insure workers with public funds. Laid-off workers not covered or those whose industrial or enterprise funds had exhausted their resources would have to seek other assistance.[46]

Throughout the 1920s, Wisconsin reform experts pushed for unemployment insurance proposals embodying Commons's preventive approach to industrial regulation.[47] Their vigorous and continuous legislative activity also shifted the center of gravity within the American Association of Labor Legislation itself toward the Wisconsin policy ideas. Before the 1920s, U.S. social insurance activists, no less than those in Europe, stressed the major role of the state in promoting societal welfare. In the original AALL model bills of the Progressive Era, government was called upon to tax both business and its employees and to add its own general revenues to insure the adequacy of benefits to sick or unemployed workers.[48] After World War I, however, AALL policy ideas increasingly deemphasized proposals for government-run and subsidized social insurance programs. By 1931, the AALL model unemployment insurance bill, the so-called American plan, had completely abandoned traditional social insurance ideas and adopted the Wisconsin preven-

[44] Commons, "Constructive Investigation."

[45] Douglas and Director, *Problem of Unemployment*, 488.

[46] John R. Commons, "Legislation as an Aid to Management in Stabilizing Employment," *American Labor Legislation Review* 11 (June 1921): 154.

[47] See Nelson, *Unemployment Insurance*, 107–28.

[48] See American Association for Labor Legislation, "A Practical Program for the Prevention of Unemployment in America," *American Labor Legislation Review* 5 (June 1915): 189–91; Paul Starr, "Transformation in Defeat: The Changing Objectives of National Health Insurance, 1915–1980," *American Journal of Public Health* 72 (January 1982): 79; and Lubove, *Struggle for Social Security*, 168.

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tive approach.[49] This break with orthodox social insurance principles had started back in 1921, when the first bill inspired by Commons's preventive approach was introduced in the Wisconsin legislature. Although not at first successful, revised versions of this bill were introduced during every Wisconsin legislative session until 1929. Finally, after the onset of the Depression and after difficult compromises were negotiated through the state legislature, a pioneering unemployment compensation system was finally passed and signed into law in January 1932 by Governor Philip La Follette.

During the late 1920s and early 1930s, the Wisconsin model of unemployment reserves was taken up by reform groups in other states, including Massachusetts, New York, and Pennsylvania.[50] The Wisconsin model also became the vehicle for attempts at collaboration and consultation among states on unemployment insurance legislation. The governors of six large industrial states met in early 1932 to recommend the passage of legislation along the lines of the Wisconsin reserves plan.[51] But in other states, agreement on specific legislation was elusive in the early 1930s.

As the case of Ohio best dramatizes, not all social-insurance reformers acknowledged the practical merits of the Wisconsin approach. The emphasis on preventive taxing schemes had left the Wisconsin unemployment insurance plan unable to incorporate public financing or to offer uniform benefits for workers in all industries. Reformers unwilling to make these concessions, while no longer influential nationally inside the American Association for Labor Legislation, did find possibilities for developing their proposals in Ohio. With a vigorous tradition of urban progressivism and labor organizing, Ohio had been the site for the earliest network of employment bureaus. And by the end of World War I, Ohio had the most comprehensive system of public labor exchanges.[52] There was, however, nothing in Ohio comparable to the well-institutionalized policy-making nexus centered in Madison, Wisconsin, which tied the governor and the state legislature to an authoritative industrial commission and reformist, university-based social scientists.

Consequently, the foundations of unemployment reform in Ohio were laid much more in isolation from both the legislature and economic interest groups than in Wisconsin. Programmatic planning started only very late in the 1920s, when policy study and lobbying activities were organized by the Consumer League of Ohio, which brought together social workers and reformers interested in agitation and

[49] American Association for Labor Legislation, "An American Plan for Unemployment Reserve Funds: Tentative Draft of an Act," *American Labor Legislation Review* 20 (December 1930): 349–56.

[50] Nelson, *Unemployment Insurance*, chap. 8.

[51] Governor's Interstate Commission Urges Unemployment Reserves," *American Labor Legislation Review* 22 (March 1932): 19.

[52] Hoyt Landon Warner, *Progressivism in Ohio, 1897–1917* (Columbus: Ohio State University Press, 1964); and J. Michael Eisner, *William Morris Leiserson: A Biography* (Madison: University of Wisconsin Press, 1967), 30–31.

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public education.[53] In 1930 the League organized a committee to study practical unemployment proposals. Although several businessmen were recruited in the initial period of deliberations, their relationship to the reformers was uneasy and they eventually resigned. Nonetheless, by January 1931, the Consumer League introduced a draft bill into the state legislature. This move toward legislative action prompted state politicians to seek yet more study and planning, and the governor responded by appointing the distinguished Ohio Commission on Unemployment Insurance.

This Ohio Commission was an ad hoc, special body of experts and reformers sympathetic to unemployment insurance. Many of the members were self-consciously seeking to provide an alternative to the Wisconsin plan. Isaac M. Rubinow, now estranged from the AALL, played a central role, and the eventual Ohio Commission report was written by economist William Leiserson. Although Leiserson was trained by Commons in Wisconsin, he was something of an apostate. Accepting the more traditional social insurance premises, he believed that unemployment was a naturally occurring phenomenon that must be "met by state action."[54] The Ohio plan called for public revenues and a state-wide insurance pool sufficient to provide uniform benefits for all unemployed workers. Thus the Ohio approach to unemployment insurance acknowledged that unemployment could not be abated by firm-level incentives, but rather must be insured against by public sponsorship of pooled reserves.

As events turned out, however, the Ohio Commission's proposed legislation failed to pass in 1933. The Wisconsin version of unemployment insurance was more politically successful at the state level than the Ohio plan, even though the conditions of economic crisis at the depth of the Depression, when individual company funds could not cope with massive layoffs, pointed to the need for an approach to unemployment compensation much more along Ohio plan lines. Whatever its economic shortcomings, the Wisconsin program was the product of long-term interactions of reformers and experts with business and labor under the auspices of the Wisconsin Industrial Commission. By contrast, the ad hoc Ohio Commission could not draw on such well-established relationships. As a governor-appointed, investigatory body, it worked in isolation from established employer and union organizations, and it became involved with the state legislature only after its report was completed. In the end, although it passed the Ohio Assembly in June 1933, the commission bill was the subject of protracted delays and died in a Senate committee.

In sum, during the 1920s the possibilities for continuing intellectual and practical innovations in the American social insurance movement were centered in a few state capitals, where reformers along with labor and employer groups engaged

[53] This paragraph and the next draw upon Nelson, *Unemployment Insurance*, 180–82; and upon Ohio Commission on Unemployment Insurance, *Report of the Ohio Commission on Unemployment Insurance* (Columbus, Ohio: The State House, November 1932).

[54] Eisner, *Leiserson*, 32.

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in spirited debates over unemployment legislation. The Wisconsin reform group, inspired by John Commons, was the most successful of these state-level reform efforts, and by the early 1930s, Commons's preventive approach to unemployment was predominant within the American Association for Labor Legislation. The Wisconsin reserves plan was also the only form of unemployment insurance to achieve legislative embodiment at the state level before the election of Franklin Roosevelt to the presidency. The coming of the New Deal revived debates about social insurance and welfare at the national level.

New Deal Watershed: The Federal Government Promotes Public Social Benefits

The coming of the Great Depression suddenly expanded the political possibilities for social welfare reforms in the United States. Crisis conditions stimulated a broad democratic upsurge and invigorated social movements, while at the same time the New Deal of 1932 to 1939 brought to power at the national level political leaders willing to deploy executive authority in new ways. In the midst of this critical juncture, Congress passed the Social Security Act of 1935, setting into place the institutions that have patterned U.S. public social provision for almost fifty years.

The Social Security Act was basically a substantive and organizational victory for the Wisconsin reformers and experts who had earlier consolidated and extended Progressive reforms at the state level. The Wisconsin group brought to Washington experience with legislative maneuvering and compromise. Willing to make concessions to Congress where necessary, the Wisconsin experts acknowledged the vested interests of state and local governments and settled for a state-centered unemployment insurance system. They also engaged in creative program building where they could, and after 1935 the Wisconsin experts presided over an enormous and disproportionate expansion of the old-age insurance program within the overall American system of public social benefits.

Radical proposals for unemployment insurance and old-age pensions advanced by social movements in the early 1930s reflected the new political space opened for public welfare innovations, once welfare capitalism and the minimalist role of the federal government of the 1920s were discredited by the Depression crisis. The Townsend Movement organized a mass-based campaign for an "Old Age Revolving Pension Plan," which called for $200 to be paid monthly to every retired person over sixty, on the condition that the money be spent the same month.[55] The Lundeen Bill (or Workers' Bill for Unemployment and Social Insurance) called for universal, open-ended unemployment compensation, equivalent to wages lost, progressively financed by employers and the government, and locally administered by councils of workers and farmers. This bill gathered support from some local

[55] Abraham Holtzman, *The Townsend Movement: A Political Study* (New York: Bookman Associates, 1963), chap. 2.

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unions and several state labor federations, from reformist social workers, and from groups of unemployed workers organized under Communist auspices.[56]

Despite considerable popular support for these and other proposals, however, the policy process through which Social Security was planned and drafted in the mid-1930s was strikingly closed. The process did not involve the transmission into policy of programmatic preferences articulated by parties, unions, or voluntary groups. Rather, a small number of experts and public figures were brought into national policy deliberations through a selective process of recruitment and consultation by executive branch leaders.[57]

Especially consequential for the eventual shape of the Social Security proposals, therefore, were the orientations and backgrounds of key politicians and experts who were brought into the executive branch after the 1932 Democratic victory. The Social Security Act was formulated in 1934 and guided to enactment in 1935 by Roosevelt himself and by Labor Secretary Frances Perkins, who had been his industrial commissioner during his tenure as governor of New York. Turning to the state-level social policy group that was most successful before 1933, Perkins favored the Wisconsin versus the Ohio proponents of social insurance. She gave the key post for policy planning and legislative drafting of the Social Security Act to Edwin Witte, formerly the secretary of the Wisconsin Industrial Commission (1917–22) and chief of the Legislative Reference Library for the state of Wisconsin (1922–33).[58] Witte, in turn, recruited a staff of research, statistical, and actuarial experts numbering less than fifty. Together, Witte argued, these experts were "a majority of all the people in the country who were considered to be specialists on any aspect of social security."[59] However, many key personnel were from Wisconsin, or sympathetic to Wisconsin reform ideas, and in any event the reins of policy control never slipped from the hands of Edwin Witte and Frances Perkins. Despite their distinguished intellectual and reform backgrounds, Ohio plan social insurance proponents such as I.M. Rubinow and Abraham Epstein were excluded from serious planning for the Social Security Act. The Committee on Economic

[56] See "Social Insurance Spree: Lundeen Bill in Congress Attracts Left Wing Support," *American Labor Legislation Review* 24 (June 1934): 67–70; and Mary Van Kleeck, "Security for Americans, IV: The Workers' Bill for Unemployment and Social Insurance," *The New Republic*, 12 December 1934, 121–24.

[57] On the co-optation of selected labor leaders into the processes leading to the Social Security Act, and on labor's general lack of independent impact on Social Security, see Edwin E. Witte, *The Development of the Social Security Act* (Madison: University of Wisconsin Press, 1963), 49–51; Edwin E. Witte, "Organized Labor and Social Security" in Milton Derber and Edwin Young, eds., *Labor and the New Deal* (New York: DeCapo Press, 1972), 241–74; and Derthick, *Policymaking for Social Security*, 111–13. Union leaders lacked access to independent expertise on social policy in the 1930s, and in any event unions were preoccupied with issues of organizing workers, gaining legal recognition, and ensuring union-scale wage rates on federal relief projects. By the later 1930s, moreover, the split between the American Federation of Labor and the Congress of Industrial Organizations undercut organized labor's rising political effectiveness within the Democratic party.

[58] On Witte's Wisconsin background, see Schlabach, *Edwin Witte*, chaps. 1–3.

[59] Witte, "Organized Labor and Social Security," 251.

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Security asked Rubinow to Washington only once, to lead a round-table discussion on old-age security.[60]

The planning apparatus created for the preparation of the Social Security legislation consisted of several formally organized groups of participants.[61] The Committee on Economic Security (CES) was the formal decision-making body and was composed of key cabinet officials. An Advisory Council on Economic Security provided a forum for carefully selected business and labor leaders, along with professionals and representatives of other organized interests. In addition, there was a Technical Board on Economic Security, drawing on government statistical and actuarial expertise. Finally, Edwin Witte, as executive director of the committee, and his staff were charged with coordinating and drawing up the committee's report containing legislative proposals. It was within and among these organizational bodies that administration officials, professional experts, and public advisers debated issues of national standardization and national administrative control.

The key Roosevelt administration and staff participants in policy making for Social Security had prior backgrounds as progressive reformers in state governments, and so it is understandable that they shared a strict opposition to social programs that might entail politically uncontrollable and easily expanded public expenditures. Neoprogressive conviction in favor of "sound" financing was clearly reflected in strategic moves by Roosevelt to set the fiscal parameters for social security legislation. Roosevelt did not launch permanently institutionalized welfare programs at the moment when emergency relief expenditures were appropriated in the early New Deal. By waiting until the middle of 1934, Roosevelt made certain that old-age and unemployment insurance programs would be symbolically and institutionally separated from relief.[62]

Roosevelt's cautious views were shared by Edwin Witte as well. Indeed, Witte's contempt for the Townsend Movement and his fear that its ambitious agenda would threaten "sound legislation," led him to advocate cutting out the old-age insurance portion of the emerging Social Security legislation.[63] Popular outcry and pressures on Congress prevented this from happening. But the point remains that the

[60] J. Lee Kreader, "Isaac Max Rubinow: Pioneering Specialist in Social Insurance," *Social Service Review* 50 (September 1976): 419.

[61] Witte, *Development of Social Security Act*, 8–9.

[62] Roosevelt was explicit about this crucial separation. Addressing the Advisory Council of business, labor, and "public" advisers to his Committee on Economic Security, the President outlined his cautious approach and reaffirmed the shibboleth of fiscal "soundness": "We must not allow this type of [unemployment] insurance to become a dole through the mingling of insurance and relief. It must be financed by contributions, not taxes . . . Let us profit by the mistakes of foreign countries and keep out of unemployment insurance every element which is actuarially unsound." Franklin D. Roosevelt, "Address to Advisory Council of the Committee on Economic Security," 14 November 1934, in Samuel I. Rosenman, *The Public Papers and Addresses of Franklin D. Roosevelt*, Vol. 3 (New York: Random House, 1938), 453–54.

[63] Schlabach, *Edwin Witte*, 110.

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key shapers of the new Social Security legislation saw themselves as bulwarks against social groups and political forces attempting to open up the federal treasury. Thus one distinctive imprint left by the Wisconsin reformers working with Franklin Roosevelt and Frances Perkins was an early and consistent insistence upon contributory and "sound" financing for unemployment and old-age insurance. Beyond this, the Wisconsin policy experts brought to the planning for Social Security their crucial prior experience in political maneuver and compromise. These skills were important, because during late 1934 and the first months of 1935 important provisions of the emerging Social Security system were still open to debate and negotiation.

The Defeat of Nationalizing Hopes for U.S. Public Benefits

Issues of national uniformity and degrees of administrative centralization and control dominated debates during the planning by the Committee on Economic Security and during Congress's deliberations on the proposed Social Security legislation. Such matters were even more important for the long term than the original patternings of taxes and benefits. As any welfare state develops over time, its forms of intervention are woven into the fabrics of economy and society and generate vested political interests in existing uniformities and differentials. Likewise, the placement of welfare administrators within an overall state structure is important, because it influences possibilities for future programmatic developments, as well as possibilities for coordinating public social benefits with other public policies.

The earliest of many defeats for would-be standardizers and nationalizers among those who launched the New Deal's Social Security Act came during the fall of 1934 in disputes about the kind of unemployment insurance program the Committee on Economic Security should recommend that Roosevelt propose to Congress.[64] Three alternatives were debated: a purely national system, in which the federal government would collect payroll taxes and provide uniform compensation to workers; a federal subsidy plan, in which the federal government would collect payroll taxes and distribute them to states operating unemployment compensation systems according to acceptable national minimum standards, perhaps also holding back some funds for a national pooling of risks to help regions espe-

[64] The following account of the formulation of the Social Security Act draws generally upon facts presented in ibid., 114–26; Witte, *Development of Social Security Act*, part I and III, 29; and J. Douglas Brown, "The Genesis of Social Security in America; an Intimate Account of a Critical Period, 1934–35," chap. 1 in his *An American Philosophy of Social Security* (Princeton, N.J.: Princeton University Press, 1972), 84. Perkins's views about what the Supreme Court would accept seem to have been based on a conversation "with Justice Stone at his wife's tea one afternoon." See Arthur J. Altmeyer, *The Formative Years of Social Security* (Madison: University of Wisconsin Press, 1968), 15. Moreover, the tax-offset method of federal "control" over the states had already been embodied in legislation found constitutional by the Supreme Court in *Florida v. Mellon*. The best discussion of the relevant history of the tax-offset approach appears in Lewis Meriam, *Relief and Social Security* (Washington, D.C.: The Brookings Institution, 1946), 185–88.

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cially hard hit by unemployment; and a federal tax-offset plan, in which the federal government would assess payroll taxes, but forgive 90 percent of them if employers paid required contributions to insurance systems set up according to states' individually-set standards for benefits, eligibility, and taxes.

In the debates of the fall of 1934, strong support for the more nationally uniform alternatives came from both the Technical Board and the outside Advisory Council of business, labor, and other public figures. Edwin Witte, however, personally preferred the tax-offset plan because it alone would respect variations in state measures and allow Wisconsin to preserve its distinctive system of individual employer reserves. In any event, Witte's job was to find a way to propose measures in accord with Roosevelt's and Perkins's convictions, and they firmly believed that only the most federal of the three plans for unemployment insurance could get through Congress and the Supreme Court.

The difficulties Witte faced in the disputes over the alternative unemployment insurance proposals indicate the strength of nationalizing hopes at the moment of creation of the New Deal's social-benefits programs. Most academic and social-work professionals of the early 1930s who had considered the arguments for adequate benefit levels and the pooling of risks in unemployment insurance were persuaded that a kind of Ohio plan at the national level would be best for workers and the country. Leaders of labor unions agreed, and, interestingly enough, so did the liberal welfare capitalists on the Advisory Committee for Social Security. Along with other businessmen in the Commerce Department's Business Advisory Council, these capitalists favored more, rather than less, national uniformity in the country's new unemployment insurance system.[65]

Welfare capitalists had always thought of government involvement in social insurance as primarily a way to keep "progressive" employers from being undercut by low-cost competitors. Wisconsin's labor regulations, too, had been designed to bring "less enlightened" employers up to the standards of the best. Yet once Wisconsin reformers moved from Madison to Washington, Edwin Witte's desire to protect the autonomy of the state of Wisconsin under the Social Security Act's unemployment insurance system ended up having very ironic consequences. For the federal tax-offset scheme – especially after Congress gave the states discretion

[65] The liberal welfare-capitalists who served on the Advisory Council on Economic Security were Gerard Swope, president of the General Electric Company; Morris E. Leeds, president of Leeds and Northrup; Sam Lewisohn, vice president of the Miami Copper Company; Walter C. Teagle, president of the Standard Oil Company; and Marion B. Folsom, treasurer of the Eastman Kodak Company. These five businessmen all voted for the subsidy plan, because it would introduce more national uniformity than the tax-offset plan (see Witte, *Development of the Social Security Act*, 58). This happened in December 1934, well after Roosevelt had made his opposition to a purely national approach clear. For the position of the Business Advisory Council (BAC), see Altmeyer, *Formative Years*, 23. Of course, at this stage of the New Deal, most business leaders were feuding with the Roosevelt administration, and the BAC had only liberal welfare-capitalists left in its diminished ranks. But these are precisely the "far-sighted vanguard" capitalists cited by corporate-liberal theorists as the ones who were especially influential in shaping Social Security.

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to adjust unevenly effective business taxes through "merit rating" provisions—opened up possibilities for interstate Balkanization, with employers in "less enlightened" states enjoying lower costs for unemployment insurance than employers in progressive states.[66] And this was exactly the kind of outcome feared by liberal welfare capitalists in 1934.

In the end, Witte and Perkins pushed the federal tax-offset scheme through the reluctant group of cabinet officers in the Committee on Economic Security by stressing congressional unwillingness to accept a more national program.[67] By the mid-1930s a number of states were enacting state-level unemployment insurance programs with varying provisions.[68] And in 1933 Congress had passed the Wagner-Peyser Act to provide federal inducements for the establishment of state-level public employment offices. As Paul Douglas pointed out, this prior legislation "helped to fix the mold into which the unemployment insurance system was to be cast."[69] Composed of representatives of the states and localities, Congress would indeed faithfully defend decentralizing administrative arrangements where related efforts already existed in the states. Southerners, who dominated key congressional committee chairmanships, were especially vigilant because of their desire to protect racist practices and low-cost patterns of labor control. But liberals in Congress also often shortsightedly supported federal rather than national arrangements in order to protect more progressive state-level practices. Thus, in the fashioning of America's unemployment insurance system, all of the nationalizing pressures inside and around the Roosevelt administration had to give way before the practical institutional obstacles built into the federalism and congressional leverage characteristic of the overall U.S. state structure.

Historical accounts agree that the disputes over the administrative form of unemployment insurance were what preoccupied the formulators of the Social Security Act in the fall of 1934. The national or federal administrative shape of the other major elements of the Act—a national old-age insurance system, and federal grants-in-aid to help support state-level, need-based programs especially for the elderly poor and for dependent children—aroused less controversy. Various state-level programs offering help to poor children or old people were already in existence by the mid-1930s, so federal subsidization rather than direct administration by the national government was taken for granted, especially because Roosevelt was looking by 1935 for ways to push "relief" programs onto the states and localities to lighten the load on the federal budget.

As for the old-age insurance system, the experts who advised the CES argued

[66] See Becker, "Twenty-Five Years of Unemployment Insurance"; and Harpham, "Federalism, Keynesianism."

[67] See especially the account in Morton Grodzins, "American Political Parties and the American System," *Western Political Quarterly* 13 (December 1960): 978–80.

[68] See Theda Skocpol and Edwin Amenta, "Did Capitalists Shape Social Security?" *American Sociological Review* 50 (August 1985): 572–75.

[69] Paul Douglas, *Social Security in the United States* (New York: DaCapo Press, 1971; originally 1936), 32.

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that a federal-state system would be technically impossible.[70] Of course, similar arguments were made against the federal-state unemployment insurance system. But in the untrodden area of old-age insurance for regularly employed workers, there were no pre-existing state-level programs or administrative structures for Congress to protect. So the CES, despite certain constitutional trepidations, took the portentous step of recommending a purely national system.

For the federal parts of the proposed Social Security legislation, the CES attempted to include administrative provisions promoting standardization and nationalization. But these were undermined in Congress. The Senate relaxed the proposed requirement that unemployment compensation be paid only through unemployment offices, allowing states to propose alternative agencies, and it also loosened proposed restrictions on state decisions about employers' contributions to unemployment insurance funds.[71] Both of these moves worked against later development of a more nationally uniform unemployment compensation system.

Even more telling, to get the old-age assistance program through Congress, it was necessary, as Edwin Witte later put it, "to tone down all clauses relating to supervisory control by the federal government" because "some southern senators feared . . . [any] entering wedge for federal interference with the handling of the Negro question . . . . [and] did not want to give authority to anyone in Washington to deny aid to any state because it discriminated against Negroes . . . ."[72] Thus, federal controls over states' methods of administration were loosened, and the all-important requirement that states "furnish assistance sufficient to provide, 'when added to the income of the aged recipient, a reasonable subsistence compatible with decency and health'" was simply eliminated from the Social Security Act.[73] Future possibilities for requiring national minimum standards in a major social welfare program were thereby severely curtailed, for the "elimination of this provision left the states free to pay pensions of any amount, however small, and yet recover 50 percent of their costs from the federal government."[74]

Finally, the original hopes of the CES to mesh Social Security with strong federal employment programs were also frustrated in Congress. For the many workers fortunate enough to be steadily employed until the 1970s, the system worked, and the New Deal public benefits served as an adequate back-up for temporary unemployment and promised basic income support for retirement. However, for the unlucky people who were willing to work, but unable to do so regularly or at adequate wage levels, the lack of a full governmental commitment to full employment was much more telling. For such people the social-insurance and public-

[70] Brown, "Genesis of Social Security" describes the ideas and activities of those who drafted the old-age insurance proposals.

[71] Witte, *Development of the Social Security Act*, 135–36, 141.

[72] Ibid., 143–44.

[73] Ibid., 144.

[74] Ibid., 144–45.

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assistance programs legislated at the height of the New Deal were left to bear much more weight alone than their formulators had ever intended.[75]

"Social Security" after 1935: Building National Social Provision through Old-Age Insurance

The only fully national program established by the Social Security Act of 1935 was contributory old-age insurance. Roosevelt originally insisted on this program because he hoped that its gradual expansion as a "sound" system based on payroll taxes would eventually result in much reduced costs for old-age assistance. Actually, because potential beneficiaries had to pay taxes for some time before they could collect benefits, old-age insurance expanded so slowly that liberal or conservative proposals for doing away with it, or sharply modifying it in favor of a flat-rate, need-based pension, remained on the national political agenda until the mid-1950s. The old-age insurance program survived congressional revisions of the Social Security Act in 1939 only because its strictly contributory features, including the projected accumulation of a huge funding reserve, were somewhat modified, the payments of benefits speeded up, and coverage made slightly more generous.[76] Throughout the 1940s and into the early 1950s, old-age insurance had to be repeatedly defended against many critics; and not until the beneficiaries of old-age insurance had clearly outstripped those receiving old-age assistance was the system solidly entrenched.

Through all of the formative years of Social Security, the defense of the basic structure and the inexorable expansion of old-age insurance were masterfully managed by the leaders of what was originally the Social Security Board and became in 1946 the Social Security Administration. The key administrative leader from 1935 to 1954 was Arthur J. Altmeyer.[77] Educated at the University of Wis-

[75] On the triumph of "commercial Keynesianism" as the U.S. variant of public macroeconomic policy, see Margaret Weir and Theda Skocpol, "State Structures and the Possibilities for 'Keynesian' Responses to the Great Depression in Sweden, Britain, and the United States" in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol, eds., *Bringing the State Back In* (New York: Cambridge University Press, 1985); and Robert M. Collins, *The Business Response to Keynes, 1929–1964* (New York: Columbia University Press, 1981). See also Margaret Weir, Ann Shola Orloff, and Theda Skocpol, eds., *The Politics of Social Policy in the United States* (Princeton, N.J.: Princeton University Press, 1988). For an overview of the complex system of U.S. macroregulation put together out of New Deal legacies and private sector bargaining practices after World War II, see Michael J. Piore and Charles Sabel, *The Industrial Divide* (New York: Basic Books, 1984), chap. 4.

[76] See Arthur J. Altmeyer, *The Formative Years of Social Security* (Madison: University of Wisconsin Press, 1968), chap. 4; Martha Derthick, *Policymaking for Social Security* (Washington, D.C.: The Brookings Institution, 1979), 214; and Edward D. Berkowitz, "The First Advisory Council and the 1939 Amendments" in Edward D. Berkowitz, ed., *Social Security After Fifty* (Westport, Conn.: Greenwood Press, 1987), 55–78.

[77] The preface to Altmeyer's *Formative Years* briefly recounts his life and career. Altmeyer's book is one of three complementary books that provide an excellent picture of Social Security's leadership and development after 1935. The second book is Derthick, *Policymaking*, which is especially good

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consin, where he worked as John Commons's research assistant, Altmeyer served between 1920 and 1934 as chief statistician and then secretary of the Wisconsin Industrial Commission. In 1934, Frances Perkins brought him to Washington as her assistant secretary of Labor, and during the formulation of the Social Security Act, Altmeyer also headed the Technical Board under the CES. Then, once Congress passed the act and set up the autonomous Social Security Board, Altmeyer moved into what became in effect the strategic control center for the newly emerging American regime of public social provision.

From the start, old-age insurance was Altmeyer's favorite program—and, as the only national component of Social Security, it was the part most fully under the board's control. After a period of wariness until old-age insurance was found constitutional in 1937, Altmeyer spearheaded what surely deserves to be called a remarkable state-building drive to give the program a disciplined, efficient organization—for collecting payroll taxes, distributing benefits, and recording all such taxes and benefits on millions of individualized records—as well as an ideology that would help the program survive and grow politically.

The ideology that Altmeyer and other Social Security administrators fashioned for the old-age insurance system was individualistic and based on a (technically quite false) analogy to private savings or insurance.[78] In this ideology, old-age insurance was *not* portrayed as a program through which the government taxed workers and employers to pay benefits to retired people. It was portrayed instead as a huge set of public piggy banks into which individual prospective "beneficiaries" put away "contributions" for their own eventual retirements. Even though the national state legally required the payment of payroll taxes, invested them in public securities, and paid proportionately (modestly) higher pensions to poorer beneficiaries, none of this was openly discussed. Rather the old-age "social security" system was said to be based on its "fair return" to each individual according to his or her relative income standing during working years. The system supposedly established a kind of contractual bond or promise to repay with interest between the government and each individual contributor, thereby giving each person a sacred right eventually to collect the benefits he or she had earned.

Echoing the language used during the 1920s to talk about the Wisconsin version of unemployment insurance, Altmeyer and his Social Security propagandists

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on the relationships of Social Security's administrators with Congress and organized interest groups. This book interprets events from a sophisticated neoliberal perspective. Finally, the third important work is Jerry R. Cates, *Insuring Inequality: Administrative Leadership in Social Security, 1935–54* (Ann Arbor: University of Michigan Press, 1983), which provides a very critical analysis from a left-liberal or social-democratic perspective. Cates highlights the biases of the Social Security administrators against public assistance programs. In the following discussion, we have drawn facts and insights (especially) from Derthick and Cates, whose strengths complement one another in our view.

[78] Derthick, *Policymaking*, 199, 204, 224–25; and Cates, *Insuring Inequality*, 13–17 and passim. For a nice statement of Social Security's ideology by a former commissioner of Social Security (1962–1973), see Robert M. Ball, "The American System of Social Security," *Journal of Commerce*, 15 June 1964.

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called this sort of old-age provision a genuinely "American approach" to social insurance.[79] Indeed, it is easy to see in this ideology a transmutation into new programmatic circumstances of the Wisconsin approach to workers' compensation and unemployment insurance through capitalist regulation. Here government establishes its functional regulatory tie with individual contributors (as well as with the business enterprises that collect the payroll taxes), yet still tries to intrude minimally in the market economy.

But it is important to understand that the Wisconsin contributions to state-building for Social Security consist of more than just ideological extensions and reworkings of preexisting ideas about social insurance. The really important qualities that Altmeyer, Witte, and other former Wisconsin reformers brought with them to Washington were not fixed ideas. Their crucial contributions were eagerness to carve out a viable political place for limited reforms and an experienced capacity to do this through the creative molding of public opinion and through the astute management of the flow of expert opinions and technical information to nominally superior political executives and to legislative decision makers. Such were the political practices encouraged by Wisconsin Progressivism and by such institutions as the Wisconsin Industrial Commission and the Legislative Reference Library.[80] Witte and Altmeyer simply brought the political skills they had honed in Wisconsin to Washington, where Witte used them to get the Social Security Act through Congress, and Altmeyer then used them to work out for Social Security a popular public image and a remarkable programmatic capacity to get presidents, cabinet officials, and congressional oversight committees to defend it and go along with the policy recommendations of its administrators.

Under Altmeyer's skilled guidance, the ideological myth of old-age insurance—as contributors saving through government to build up individually earned benefits—was deployed in many politically advantageous ways.[81] Payroll taxpayers did not have to be addressed as such; they could be individually told that they were building up rights to their own future benefits.[82] Resistance to old-age insurance taxes was thus lessened, and over time broad popular support was built up among voters for liberalized benefits. Social Security finances could be insulated from other government activities through the device of the supposedly sacrosanct trust fund. Again and again, funding for favored Social Security programs—benefit increases or extensions into new areas such as survivors' benefits and disability coverage—

[79] American Association for Labor Legislation, "An American Plan"; and also Nelson, *Unemployment Insurance*.

[80] Schlabach, *Edwin Witte*, chap. 3.

[81] Derthick, *Policymaking*, 170–82; Cates, *Insuring Inequality*, chap. 4.

[82] The early stages of this process are well described by Altmeyer, *Formative Years*, 53–55, 68–70. For example, in the initial assignment of Social Security numbers in 1937, Altmeyer writes that "every effort was made to use terminology that would inspire confidence rather than arouse suspicion. Thus the process was called 'assignment of social security account numbers' instead of 'registration.' The use of the word 'registration' was avoided because it might connote regimentation." See also Derthick, *Policymaking*, 198–99.

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could be presented to politicians as "actuarially sound," because supposedly sufficient taxes were always being collected or sufficient tax increases proposed to cover future benefits.[83]

To preserve the rights and dignity of citizens and to safeguard the public purse, it was essential in the view of the Social Security administrators to make sure that programs resembling public assistance could not displace social insurance. So the Social Security administrators—who had federal oversight authority over old-age assistance, as well as control of contributory old-age insurance—used discretionary administrative decisions to prevent liberal states (like California) from making old-age pensions too automatic, too generous financially, or too dignified in their local implementation. In the process, Altmeyer and other Social Security administrators left many needy older Americans inadequately protected in order to sustain the idea of the indignities and inadequacies of "welfare" and leave political room for the continued gradual expansion of contributory old-age insurance, the true "social security."

From a broader historical perspective there have, of course, always been other forces at work to keep welfare forms of public assistance penurious and demeaning for needy Americans—and also to keep welfare identified with the fate of blacks in the United States. The great leeway left to the states in the legislation of the 1930s ensured that conservative or racist interests would be able to control welfare coverage, benefit levels, and methods of administration in large stretches of the nation, and especially in the South, where the vast majority of blacks lived at the time in poverty and political disenfranchisement. Much later, old-age public assistance was significantly nationalized through the 1974 Supplemental Security Income program.[84] But this was too late to alter the connotations or reality of "welfare," because by the 1970s the largest public assistance program was Aid to Families with Dependent Children. As U.S. blacks migrated in massive waves during the 1950s and 1960s out of the rural South and into northern and southern cities, many were unable to carve out secure economic niches in the mature industrial economy. As the major welfare program available to dependent people without adequate employment income, AFDC thus became strongly identified in the public mind with black urban poverty and with black welfare mothers, stereotyped as unwed and immoral.[85]

The brief outburst of Great Society efforts in the late 1960s to eradicate poverty in America did not succeed in overcoming the economic and social difficulties of either the white or black poor. Instead, one can say that the entire belated process since the 1960s of incorporating blacks as full, voting citizens into the Amer-

[83] Derthick, *Policymaking*, esp. chap. 2.

[84] See Jill Quadagno, "From Old Age Assistance to Supplemental Security Income: The Political Economy of Relief in the South, 1935–1972" in Weir, Orloff, and Skocpol, eds., *The Politics of Social Policy in the United States*.

[85] The historical and ideological processes involved here are discussed in Winifred Bell, *Aid to Dependent Children* (New York: Columbia University Press, 1965).

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ican polity has aroused bitter political controversies about special federal programs targeted for the poor or the black—and indeed about welfare in general, because of its symbolic identification with the fortunes of the black poor. Under the right-wing administration of President Ronald Reagan, both pro-black and public assistance programs have been targeted for disproportionate funding cuts, even though they constitute a much smaller part of federal social-benefits expenditures than the privileged programs associated with old-age insurance or social security.

Conclusion

Since the 1950s, the dynamic core of the U.S. system of public social benefits has been the administratively sovereign, politically privileged, and fiscally insulated Social Security program. This program certainly has proven durable and capable of expansion—both expansion of benefits and expansion into the vacuums of disability coverage and provision for elderly medical care left open by the absence of national health insurance in the United States. But the successes of Social Security have helped to leave other American public benefits programmatically underdeveloped, symbolically demeaned, and politically vulnerable. Furthermore, the fiscally privileged features of Social Security have stood—and may stand even more in the future—as obstacles to the development of government economic and social interventions that might promote the security of all Americans together.

Taking the long historical view, that the New Deal ended up channeling modern public social benefits disproportionately through the politically and fiscally privileged contributory old-age insurance program, is not so surprising. In Europe and elsewhere modern welfare states could be developed by reworking and extending preexisting administrative and political arrangements, with both state bureaucracies and labor-based political parties playing important roles. But in the United States the structure of the polity was always distinctive. Even though the patronage democracy of the nineteenth century elaborated the Civil War pension system into a de facto program of benefits to the many elderly and disabled Americans, a modern U.S. welfare state was not to be constructed on earlier foundations. Instead, America's nineteenth-century patterns of public social spending were attacked by movements for regulatory reforms in the "public interest" and the efforts of such Progressive movements to counter "corruption" helped to prevent the United States from adopting European-style public pensions and social insurance around the turn of the century.

Nevertheless, the way was not simply cleared for welfare capitalists to provide for social welfare through large corporations and through federal government efforts of their own choosing. Progressive reform victories in certain states made possible the distinctively American approach to capitalist regulation institutionalized most fully in the Wisconsin Industrial Commission and its surrounding political and academic appurtenances. Then, during the New Deal, Franklin Roosevelt and Frances Perkins, themselves progressive politicians from New York,

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called upon the well-established reformers of Wisconsin to help fashion viable new public benefits programs at the federal level. In the administration of the Social Security Act, moreover, the progressive form of the expert-run commission was adapted to the exigencies of running a national old-age insurance system and defending it against programmatic and political competitors. Using their Wisconsin-inherited skills in the politics of managing public opinion and technical advice, the Social Security administrators carved out an impregnable and expansionary niche for their preferred national social insurance programs. Quite remarkably, such victories for social security in the United States were achieved inside a federal state structure and political party system otherwise uncongenial to generous and nationally uniform public welfare efforts.*

* This paper is partly based on John Ikenberry and Theda Skocpol, "State Structure, Policy Intelligence, and the Formation of the U.S. Social Security System," presented at the annual meeting of the American Political Science Association, Chicago, Illinois, 2 September 1983. Some passages, especially in the second half, are also based upon Theda Skocpol and John Ikenberry, "The Political Formation of the American Welfare State in Historical and Comparative Perspective," *Comparative Social Research* 6 (1983): 87–148. We benefitted from information on four U.S. states recently gathered by Edwin Amenta, Elisabeth Clemens, Jefren Olsen, and Sunita Parikh, all working at the University of Chicago under a research grant from the Russell Sage Foundation. Ann Shola Orloff at Princeton University and Carlos Forment at Harvard University also gathered background material relevant to this article.

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Soviet Policy and the Arab-Israeli Conflict: Actions, Patterns, and Interpretations

RICHARD HERRMANN

Mikhail Sergeyevich Gorbachev hardly made mention of the Middle East in his five and a half-hour speech to the 27th Congress of the Communist Party of the Soviet Union (CPSU). His only comments were, "We are in favor of stepping up a collective search for ways to solve conflict situations in the Near and Middle East, in Central America, and southern Africa, and in all the seething points of the planet."[1] His primary concern in foreign policy was very clearly the United States. He opened with a lengthy discussion of the contradictions in the present world, the chief one being between the "two systems" of socialism and capitalism. In his section on foreign policy the focus on the United States was overwhelming, even coming before the discussion on the socialist community. The general secretary never got around to discussing the problems of the national liberation movements in the Third World, only the poverty and misery that has resulted from imperial plunder, especially American. He spent more time on the importance of combating terrorism than he did on the need for a just settlement to the Palestinian problem. The party program, of course, gave primary place to "cooperation with the Socialist Countries," and "strengthening Relations with the Liber-

[1] M. S. Gorbachev, "Report of the CPSU CC to the 27th CPSU Congress," *Pravda*, 26 February 1986, in Foreign Broadcast Information Service, *Foreign Broadcast Information Service Daily Report: Soviet Union* (*FBIS-SOV-86-038*), 0–32.

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ated Countries," but just the same, never mentioned the Middle East. The Soviet Union was simply put on the side "of peoples repelling the attacks of the aggressive forces of imperialism and defending their freedom, independence, and national dignity."[2]

Judging from the program and congress alone, we might conclude that the Soviet Union under Mikhail Gorbachev is likely to be preoccupied with "accelerating socioeconomic development" at home, and dealing with the "American threat" abroad. It would have relatively little time to spend on matters of the Third World in general and the Middle East in particular. No doubt "perfecting developed socialism" and stimulating a "radical" improvement in production and productivity is Gorbachev's first order of business. But where does the Third World fit in all of this? How important are allies in the Middle East? Are they seen in Moscow as such weak players with such limited capacity for independent action that they are relatively unimportant in the "struggle between the two social formations?" What are the Soviet Union's interests in the Middle East? Can we expect it to play a constructive role in dealing with the complicated regional tensions? How much power can Soviet leaders really expect to wield in this area? How much are they willing to pay to exercise any influence there? I cannot answer all of these questions in this article, but I do hope to raise them, discuss possible judgments about them, and try to organize some of our thinking about Soviet behavior in the Middle East.

Recent Soviet Involvement: Escalation or Disinterest?

If Gorbachev slighted the Middle East in his report to the party congress, this probably reflects only the priority the Middle East holds in relation to issues of domestic development and avoiding nuclear war. To realize that regional conflicts in the Third World do not command the highest priority in Soviet affairs today is not to suggest that they are unimportant or ignored altogether. Nor should we assume that the Gorbachev leadership is unconcerned about the Middle East and will accept the terms the United States government prefers when these are detrimental to Soviet interests. Before too many conclusions about a new "isolationism" in the Soviet Union or a Soviet retreat from the Third World are taken to heart, we ought to look carefully at Soviet behavior. Has there been any real change? Has the Soviet Union's foreign policy followed the revised set of announced priorities? Has it reduced its commitments in the Middle East?

The traffic on Middle East affairs is heavy indeed. So much is happening that it is hard to keep up. First, Soviet actions have continued to support Arab causes against "American imperialism" as long as this does not entail serious risks. Libya's Colonel Muammar el-Qaddafi was in Moscow in October 1985 and received assurances of support and more weapons.[3] In January, as American talk of retalia-

[2] "Draft: CPSU Program," *Pravda*, 26 October 1985, in *FBIS-SOV-85-208*, 25.

[3] For Gorbachev's remarks see "In a friendly Atmosphere," *Pravda*, 13 October 1985, in *FBIS-SOV-*

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tion for terrorism mounted, Moscow shipped SA-5 air defense missiles to Libya and sailed the flagship of its Mediterranean fleet into Tripoli. When push came to shove, however, Soviet protection against American strikes proved to be relatively passive. As so often before, the Soviet Union was ready to assist and encourage but not fight. Of course, few analysts expected Moscow to fight for Qaddafi. Libya is a long way from the Soviet Union and Qaddafi's relations with the Kremlin have not always been good. The more difficult and the more important question was under what conditions would the Soviet Union fight for Syria.

Moscow has continued to promote the anti-imperialist aspects of Arab movements and has opposed any settlements that exclude the Soviet Union and do not deal directly with the Palestinian issue and Syrian concerns. It opposed the initiative of Jordan's King Hussein and the Palestine Liberation Organization (PLO) leader, Yasir Arafat, and Egypt's President Hosni Mubarak's efforts to encourage Washington to pursue the Jordanian-PLO option.[4] When Arafat appeared likely to accept a process that did not include the USSR, CPSU oficials reminded their readers that Soviet support for the PLO was not the equivalent of support for Yasir Arafat.[5] At the same time, Soviet analysts kept Moscow's options open. They supported Arafat's anti-imperialist attitudes and spoke about the possibilities of change in Cairo.[6] Mubarak was not the same as Sadat. Some of the trends in Egypt were seen as forecasting change, and the Soviet Union was neither unaware nor unready to take advantage of mounting national and economic pressures.

The Soviet Union has remained open to opportunities. In the summer of 1985 it was ready to look into reestablishing relations with Israel. Although the talks with Israel generated a lot more heat in Israel than they probably deserved, Poland did agree in Fall 1985 to exchange representatives.[7] Although diplomatic relations would not be restored, a Polish representative would serve in Tel Aviv and an Israeli diplomat would represent Israeli interests from within the Dutch embassy in Warsaw. In the Persian Gulf the Soviet Union welcomed the decisions

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85-119, H3–6; and "Joint Soviet-Libyan Communique," *Pravda*, 16 October 1985, in *FBIS-SOV-85-200*, H1–5.

[4] See Konstantin Geyvandov, "Problems and Judgments: Where the 'Initiatives' are Leading," *Izvestia*, 28 March 1985, in *FBIS-SOV-85-061*, H1–3; O. Fomin, "Palestinian Rights: Two Lines," *New Times*, 12 March 1985, 22–23; and K. Geyvandov, "Another Separate Deal," *Izvestia*, 4 August 1985, in *FBIS-SOV-85-152*, H1–2. Also see K. Geyvandov, "Aggressors Remain Aggressors," *Izvestia*, 4 March 1985, in *FBIS-SOV-85-004*, H1–3.

[5] "Seminar with Karen Brutents," *Al-Watan*, 4 January 1986, in *FBIS-SOV-86-004* H8–21; and "Seminar with Karen Brutents, Part II" *Al-Watan*, 6 January 1986, in *FBIS-SOV-86-006*, H3–15.

[6] See A. Georgiyev, "Obshchestvenno-Politicheskoye Razvitiye Yegipta – Problemy i Tendentsin," (Egypt's Sociopolitical Development – Problems and Tendencies), *Mirovaya Ekonomika i Mezhdunarodnyye Otnosheniya (MEiMO)* 1 (January 1985): 123–33. Also see P. Demchenko and V. Peresada, "Moods Are Changing," *Pravda*, 18 November 1985, in *FBIS-SOV-85-224*, H1–3.

[7] In July the Soviet ambassador in Paris, Yuriy Vorontsov, met with Israel's envoy in France, Ovadia Sofer. French sources say that the Soviet pitch at the meeting was an offer to reestablish relations if Israel withdrew from the Golan Heights and accepted a framework for talks that included Syria. *Le Matin*, 20–21 July 1985, in *FBIS-SOV-85-142*, H4–5.

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in Oman and United Arab Emirates to open diplomatic ties with Moscow and leaned toward Iraq in its ongoing war with Iran. At the same time, it tried not to close the door on Teheran. Soviet radio broadcasts and written coverage of the Iranian revolution and Iran-Iraq war remained very critical of Iran.[8] The Tudeh party (the pro-Soviet Communist party in Iran) now calls for Ayatollah Ruhollah Khomeini's overthrow, and Soviet writers blast the clerical despotism and reaction.[9] They also attack Iran's support for the Afghan mujahadin and contend that in this case Iran has joined forces with American imperialism. Just the same, Iran's deputy foreign minister was welcome in Moscow in April 1985, and reports during the summer suggested that Iran was receiving arms across Soviet territory.[10] Libya signed a "strategic alliance" with Iran in June, and before long Baghdad was being hit with missiles made in Moscow.[11] The Iraqis undoubtedly complained to the Soviets about the reshipment of Soviet weapons from Libya and Syria, but at a public level Soviet officials said only that they could not control the actions of Qaddafi.[12] The president of Iraq, Saddam Hussein, was in Moscow in December 1985 and generated a statement from Andrei Gromyko that Iran's position was unreasonable, but in February Soviet First Deputy Foreign Minister Georgiy Korniyenko was in Teheran.

The chronicle of activities could go on almost indefinitely. Yet, it is not very satisfying. It gives us a time line but very little understanding. What does all of it mean? What does it tell us about Soviet motives or power? Are there patterns that reoccur and causal propositions that might guide our interpretations?

Patterns in Soviet Diplomacy in the Middle East

The most obvious pattern in Soviet diplomacy in the Middle East is anti-Americanism. The importance of opposing imperialism is at the center of current theoretical thinking as well as practical policy.[13] At the general level, despite the

[8] For two important articles see Rostislav Ul'yanovsky, "Iranskaya Revolyutsiya i yeye Osobennosti," (The Iranian Revolution and Its Peculiarities) *Kommunist* 10 (July 1982): 106–116; and R. Ul'yanovsky, "Sud'by Iranskoy Revolyutsii," [The Destiny of the Iranian Revolution] *Kommunist* 8 (May 1985): 104–110.

[9] See Aleksander Bovin, *Moscow Television Service*, 25 August 1985, in *FBIS-SOV-85-165*, H3–4.

[10] *Kyodo*, 12 August 1985, in *FBIS-SOV-85-1985*, H7.

[11] "Joint Communique," *Tripoli Domestic Service*, 23 June 1985, in *FBIS-MEA-85-121*, Q7–8. It said that Libya "stands strongly with the Islamic revolution in Iran in its confrontation of war which was imposed on it by the fascist Ba'thist Saddam of Iraq by order of U.S. imperialism, Arab reaction, and Zionism."

[12] Saddam Hussein was in Moscow in December 1985 for talks that were described as "frank, business-like and friendly." *TASS*, 16 December 1985, in *FBIS-SOV-85-241*, H5. For a discussion of the transhipment issue where Karen Brutents, a deputy secretary of the international department, was pressed by Arabs see "Seminar with Karen Brutents."

[13] For two official theoretical expressions see Karen Brutents, *National Liberation Today*, vols. 1 and 2 (Moscow: Progress, 1977); and Rostislav Ulyanovsky, *National Liberation: Essays on Theory and Practice* (Moscow: Progress, 1978). For more recent statements see K. Brutents, "Osvobodivshiyesya Strany v Nachale 80-x Godov," [The Newly Free Nations in the Early 1980s] *Kommunist* 3 (February

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increasing sophistication of many Soviet academics, the litmus test for Third World movements remains their attitude toward American foreign policy.[14] The way nonalignment is defined theoretically in Soviet journals such as *Kommunist* essentially equates opposition to imperialism, common cause with the Soviet Union, and true nonalignment.[15] They also take a very dim view of any "Third Way" or "equidistance" conceptions that might treat the United States and USSR as similar superpower actors.[16] When considering how Soviet analysts describe regional events, it is hard to avoid the conclusion that Soviet writers tend to follow the political winds. When the shah was in power, for example, and no one suspected revolt, the mullahs were reactionary clerics who opposed the shah's land reform and treatment of women because these reforms were too progressive. The Soviet press tended to give the same stereotypical explanations that the daily western newspapers did. Once the shah fell, the mullahs were transformed in Soviet images to farsighted revolutionaries who all along opposed the shah because of his corruption, torture, despotism, and servility to foreign powers. They were patriots who had saved the country, women included, from the imperial tyranny. As long as they were anti-imperialist and anti-monarchist they deserved support.[17] By 1983, when it became clear they were also anti-Communist, the image became quite negative emphasizing their despotic nature, but, just the same, applauding their anti-imperialism.

Richard Cottam has argued that perceived threats and perceived opportunities lead the great powers to accept simplified pictures of regional events.[18] In the classical imperial image, those who will cooperate with your foreign policy are seen as the "good guys," using whatever symbols and labels are appropriate for your

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1984): 102–113; and K. Brutents, "Questions of Theory: Toward the 27th CPSU Congress: The Liberated Countries and the Anti-Imperialist Struggle," *Pravda*, 10 January 1986, in *FBIS-SOV-86-009* CC2–7; and R. Ulyanovsky, "O Natsional'noy i Revolyuinoy Demokratii: Puti Evolyutsii," (On National and Revolutionary Democracy: Ways of Evolution) *Narody Azii i Afriki* 2 (March–April 1984): 9–18.

[14] As Brutents explains in *Pravda*: "The attitude displayed toward imperialism today still serves as a watershed in the world of liberated countries, as a criterion of the national-patriotic stance of ruling regimes and all social and political forces." Karen Brutents, "Toward the 27th CPSU Congress: The Liberated Countries and the Anti-Imperialist Struggle," *Pravda*, 10 January 1986, in *FBIS-SOV-86-009*, CC5. Academic writings do not follow any single line and are not bound by a rigid Marxism-Leninist orthodoxy. For several good studies of this literature see Elizabeth Valkenier, *The Soviet Union and the Third World: An Economic Bind* (New York: Praeger, 1983); Jerry Hough, *The Struggle for the Third World: Soviet Debates and American Options* (Washington, D.C.: Brookings Institution, 1986); and Rajan Menon, *Soviet Power and the Third World* (New Haven: Yale University Press, 1986).

[15] See V. S. Kotyarov, "Dvizheniye Neprisoyedineniya Nekotoryye Itogi i Perspektivy," (The Nonaligned Movement: Some Conclusions and Prospects) *Narody Azii i Afriki* 5 (September–October 1983): 16–23; and Yu. Alimov, "Dvizheniye Neprisoyedineniya na Vazhom Rubezhe," (Nonaligned Movements at an Important Stage), *Kommunist* 7 (May 1983): 99–110.

[16] See I. Ivanov, "Kontseptsiya 'Bednykh' i 'Bogatykh' Stran: Ictoki, Sushchnost', Napravlennost'," (The Concept of 'Poor' and 'Rich' Countries: Sources, Essence, Thrust) *MEiMO* 1 (January 1983): 22–31.

[17] For a study of the changing Soviet images see Murial Atkin, "Moscow's Disenchantment with Iran," *Survey* 27 (Autumn-Winter 1983): 247–260.

[18] Richard Cottam, *Foreign Policy Motivation: A General Theory and a Case Study* (Pittsburgh: University of Pittsburgh Press, 1977).

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culture and political system, and those who will not cooperate with you are the "bad guys." This general observation suggests that it is not just anti-Americanism that is likely to move Soviet policy. Certainly an anti-American stand may lead some Russians to perceive the opportunity to make common cause, but as in the case of Iran anti-imperialism may not be enough. Regional leaders may oppose one superpower and still not be willing to cooperate with the other. This has been the pattern for the Soviets in the Middle East for some time. The grounds for alignment that regional actors see, for example, common opposition to "imperialism and Zionism" have not led to widespread pro-Soviet sentiments. The nationalist ideologies of Nasserism in Egypt and the Ba'ath party in Syria and Iraq, or Islamic fundamentalism across the area have not succumbed to Leninism or Soviet foreign policy.[19]

Soviet propaganda is relentless in its attacks on American foreign policy. When violence, terror, or conflicts occur, it always blames the United States first. The United States has caused the Arab-Israeli conflict, the continuing problems in Lebanon, the violence in Afghanistan, and the war in the Persian Gulf. After the fact the United States was even blamed for trying to subvert the revolution in South Yemen. It is easy to see why Americans conclude that Soviet policy is little more than knee-jerk anti-Americanism based on very obvious realpolitik considerations. But this view oversimplifies Soviet behavior.

While the Soviet Union supports the idea of a united anti-imperialist front and joins regimes with very different ideological makeups, like Libya, Syria, Algeria, Iraq, and Iran, it does not accept anti-communism lightly. In the 1950s it is true that it continued to support Egypt and Iraq despite Gamal Abdel Nasser's and Abd-al-Salam Arif's attacks on their respective Communist parties.[20] But relations became very strained. At the time, the cold war images in the United States may have hidden the deep divisions between Moscow and Cairo or Baghdad, but they were severe just the same. Soviet officials cast the net widely for anti-imperialist cooperation but, as in contemporary Iran, they are not indifferent to anti-communism. I am not suggesting that local Communist parties will not be sacrificed to broader interests in Soviet foreign policy, but it is important to realize that there are many motives moving Soviet behavior and that one of them is ideological.

When the external threat is seen as terribly grave, I suspect ideological concerns will be given less weight. When the perceived threat is more manageable, I would expect them to play a greater role along with a number of other motives such as economic interests. Consequently, if there is an intensified "American threat" in Moscow as some of the writings of Soviet advisers in the mid-1980s imply,[21] then

[19] See Jaan Penner, *The USSR and the Arabs: The Ideological Dimension* (New York: Crane Russak, 1973).

[20] See Oles Smolansky, *The Soviet Union and the Arab East Under Khrushchev* (Lewisberg, Pa.: Bucknell University Press, 1974).

[21] See A. Yakolev, "Rakovaya Opukhol' Imperskikh Ambitsiy i Yaderbyy Vek," (Cancer of Imperial Ambitions in the Atomic Century) *MEiMO* 1 (January 1984): 3–17. Also see A.N. Yakolev, "Opasnaya Os' Amerikano–Zapadogermanskogo Militarizma," (Perilous Alliance of U.S.–West German Militarism) *SShA: Ekonomika, Politika, Ideologiya* 7 (July 1985): 3–15.

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we could expect a new urgency in the USSR's efforts to build alliances and weaken American relationships. Some people expect the Soviet Union to compete more actively in West Europe and Asia. The Middle East, however, is probably a more complicated case.

If an anti-American policy of trying to offset the United States's policy and influence has been the first major pattern in Soviet diplomacy in the Middle East, then the second is a rather moderate level of commitment to this policy. The Soviet Union has accepted great humiliations in the Middle East. Its allies have been defeated repeatedly by Israel. Arab territory is still occupied, and Israel strikes at will against targets in Lebanon. Iraq has been bombed, and Syria was humiliated in 1982. Since then Moscow has shipped large quantities of arms to Damascus, but Syria is still no match for Israel. No progress has been made on the Palestinian question, and the Soviet Union remains outside the primary discussions. The Egyptians expelled the Russians in 1972, used their arms in 1973, and then once again broke with Moscow in 1976. Leaders in Cairo have helped ever since to exclude the Soviets from settlement talks. The United States claims to be the most important superpower involved in regional affairs, and it appears many Arabs and Iranians think that this is so. American power at times is described as decisive. Soviet power is often ignored, even though the United States is 6,000 miles away and the Soviet Union is next door.

Although the Soviet Union has accepted defeats, it has also drawn clear lines on how much it will take. There are things it will fight for even if the United States is involved. In fact, it might be because Washington is involved, or at least seen in Moscow as involved through Israel, that Soviet leaders feel a need to limit their clients' setbacks. Soviet leaders appear more relaxed about the credibility of their support than American leaders are about the credibility of American "will," but just the same the Soviet Union has acted to protect its clients and its own credibility.

In 1967, as well as in 1973, the Soviet Union threatened to intervene to protect Egypt and Syria from a complete defeat. While in 1967 it did not act to reverse the territorial losses of its allies, it did threaten to intervene when Israel threatened to move toward Damascus. In 1973 the Soviets also threatened to use force when it appeared that Egypt might face a crushing defeat in the Sinai and that Israel might march toward Cairo. This followed a similar decision in 1970 to protect Cairo and Nasser from a possible total defeat. Following the humiliation of Syria in 1982, Moscow substantially upgraded Syrian air defenses and continued to stand behind Syria as various Lebanese groups forced Israel to withdraw. Damascus reemerged as the predominant broker in Lebanese negotiations.[22] As seen in Ethiopia in 1977–1978, the Soviet Union can move forces and exercise substantial power when it wants to.

Knowing that the Soviet Union wants to increase its power in the Middle East and diminish American influence there is not knowing much. The pattern is true enough, but every freshman already suspects it. The critical questions are how

[22] See Cynthia Roberts, "Soviet Arms-transfer Policy and the Decision to Upgrade Syrian Air Defences," *Survival* 25 (July–August 1983): 154–164.

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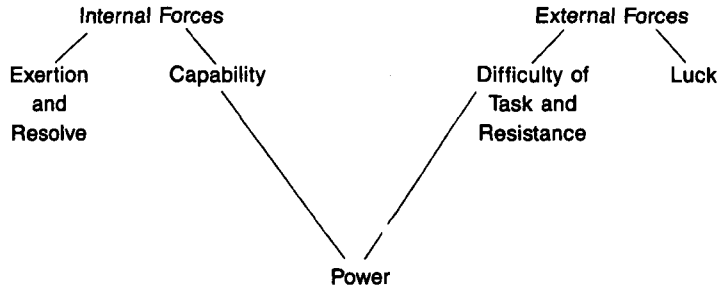
FIGURE 1
Possible Causes of Foreign Policy:
An Attribution Theory Framework



willing is the Soviet Union to pursue this objective? And even more importantly, why? What capabilities does it have to go about this task? These are the difficult problems we have to tackle.

Analyzing Soviet Behavior: Interpreting the Patterns

Despite all the theorizing that has gone on about international relations, it seems the analyses generally return to the basic questions of motivations and power. Power alone cannot predict behavior. The Soviet Union is not going to use all the power at its disposal to effect outcomes in the Middle East, for the region is not its highest priority. Judging from Gorbachev's speech, foreign policy as a whole is likely to take a back seat to domestic development. Neither superpower uses all of its might in the area or looks forward to any ultimate showdown. But how many resources will they commit? How far will they go, and under what conditions? What could change all this and make them go further, or decide that the issue is not worth the effort?

There are many interpretations of Soviet foreign policy. Instead of advancing another one here, I would like to lay a framework to organize some of those that already exist. Fritz Heider developed a useful vocabulary for thinking about how people explain behavior.[23] I have summarized his basic concepts in Figure 1. By basing their explanations on different combinations of possible variables, American analysts can advance very different interpretations of the two main patterns in Soviet Middle East diplomacy.

[23] Adapted from Fritz Heider, *The Psychology of Interpersonal Relations* (New York: John Wiley, 1958), 84.

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One way to explain Soviet anti-Americanism is to argue that Soviet leaders are frustrated by the limits the United States sets on Soviet imperial ambitions.[24] If you assume the Soviet Union is bent on expansion and domination of the region, then it would naturally want to undermine American influence and break down one of the major obstacles to its undisputed hegemony. The Soviet Union does not have the power to drive the United States out directly, nor would it want to pay the price this would cost. At the same time, the continuing turmoil and violence in the area serves the Soviets well. It not only threatens American friends and assets but also insures an entry for Soviet influence. Combatants need guns, and the Soviet Union can easily supply them. In this interpretation, the Soviet Union gives the Arabs enough to resist American terms for peace but not enough to enforce their own. A situation of "no war no peace" is set up in which Israel and America are continually threatened and Soviet involvement is assured.

A second and slightly different interpretation may not disagree on long-range Soviet aspirations, but it sees the difficulty of the task before the Soviet Union as far beyond Soviet means. The USSR might be described as a superpower in eclipse, with limited and diminishing power in the Middle East.[25] The opposition to communism evident in many Arab nationalist movements, much less in Islamic fundamentalism, may be seen as limiting Soviet opportunities. The oil wealth of some Arab states also gives them greater flexibility in buying weapons, and the Soviet Union is hardly a viable economic outlet for their investments. Nor is it one of the better sources of advanced technologies. If one coupled this picture of limited regional capabilities with an assumption that the Soviet Union is overextended elsewhere, most notably in Afghanistan, Vietnam, and Cuba, then the relatively modest level of exertion is easy to explain. The anti-Americanism is simply foreign policy on the cheap. It does not cost the USSR very much to exhort others to fight imperialism. If it causes the United States troubles so much the better. The long-term goal may be to dominate the area, but on the immediate horizon the objective is to stay relatively uninvolved and focus resources on economic and technological development and Soviet military power.

A third interpretation might start from a different premise about both Soviet motives and power. It presumes that the primary reason the Soviet Union promotes anti-American policies in the Middle East is to compete with the unbending anti-Soviet policies of the United States. Washington, after all, has been at least as interested, if not more so, in keeping the Soviet Union out of the Middle East as it has been with solving the many social and political grievances that fuel so much of the region's terror and violence. Americans may presume that the first step toward solving these local problems is to keep the Russians out, but in Moscow the strategy probably looks quite simply as anti-Sovietism designed to secure Amer-

[24] Arkady Schevchenko in *Breaking with Moscow* (New York: Ballantine, 1985), 374–375, makes this argument.

[25] See Karen Dawisha, "The USSR in the Middle East: Superpower in Eclipse?" *Foreign Affairs* 61 (Winter 1982–83): 438–452.

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ican predominance. If the United States is seen as seeking advantages in the Middle East and a better power base for confronting and pressuring the Soviet Union, then Moscow's anti-Americanism might be a very predictable effort to counter this perceived "encirclement." In this interpretation, the anti-Americanism is easy to explain and really quite unexceptional.[26] What is more complicated is the rather moderate level of commitment the Soviet Union is willing to make.

If the Soviet Union is as sensitive to threats on its southern flank as Washington is about communism in Central America, I would expect it to cast ideological purity to the wind and move into the Middle East, aligning with whomever it could. Credibility would be one of their critical concerns. The repeated humiliations of their friends could not be accepted. To date, however, Soviet commitments in the area measured by willingness to run risks and pay costs have been fairly moderate.[27] If the defensive interpretation is accepted, then the implication is that the threat that leaders in Moscow have perceived has not been very intense. They may be concerned about American activities but have not felt the sense of urgency I suspect some Arabs wish they did. This third interpretation assumes that the Soviet Union has the power to do a lot more in the Middle East. Far from being constrained by external forces or domestic weakness, the Soviet leaders simply have not felt the need to exert themselves any harder. The risks of inaction have not been seen as so great that more costs and other risks inherent in action should be borne.

The first interpretation assumes the Soviet Union is uninterested in any settlement between Israel and the Arabs. Stoking turmoil is its policy. The second view would probably also assume that the USSR would be uninterested in a peace plan and probably of little consequence should negotiations begin. After all, in this interpretation the USSR has limited leverage and little inclination to play a major role. The third interpretation has a different perspective on the Soviet interest in settlement. If the USSR's primary concern in the area is competition with the United States and not regional domination and control, then it may be genuinely interested in stabilizing and even settling the Arab-Israeli dispute.[28] Where the "no peace no war" hypothesis assumes that the Soviets would resist a compromise for fear of losing influence in the Arab world afterwards, the defensive proposition suggests that Moscow would promote a negotiated resolution in order to reduce the American avenue for military penetration.

Soviet leaders are unlikely to see the need for a settlement as an urgent necessity. In their view, American support for Israel is so great that the United States's

[26] See George Breslauer, "The Dynamics of Soviet Policy toward the Arab-Israeli Conflict: Lessons of the Brezhnev Era" in Dan Caldwell, ed., *Soviet International Behavior and US Policy Options* (Lexington, Mass.: Lexington Books, 1985), 131–157.

[27] For supporting evidence see Richard Herrmann, *Perceptions and Behavior in Soviet Foreign Policy* (Pittsburgh: University of Pittsburgh Press, 1985).

[28] See George Breslauer, "Soviet Policy in the Middle East, 1967–1972: Unalterable Antagonism or Collaborative Competition" in Alexander George, ed., *Managing US-Soviet Rivalry: Problems of Crises Prevention* (Boulder, Colo.: Westview, 1983).

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long-term prospects in the Arab world will always be limited.[29] Washington may make gains as it did in Egypt, but if one accepts the Soviet definition of the situation, these will be short-lived. In the Soviet view, the Palestinian problem may not be the most important issue among the Arabs, and Arabs may be regrettably divided, but this "national" issue is central enough that very few Arab leaders will dare to abandon the Palestinian cause altogether. At the same time, the United States will not abandon nor put anywhere near the pressure on Israel that would be required to generate any lasting amelioration of Arab grievances. Consequently, even if leaders like Egypt's Anwar Sadat calculate that if they accommodate the United States, Washington will deliver concessions on the West Bank, Jerusalem, or a Palestinian state, they will learn soon enough that this is simply naive. The Arabs, in Soviet perspectives, have to compromise but cannot expect any reward for surrender. They have to bargain from strength, and for this they need the USSR. Soviet leaders might conclude that American policy in the Middle East over the past three decades has generated so much anti-American sentiment that the Soviet Union does not need to panic about American efforts to dominate the area.

Soviet perceptions are difficult to infer. Intentions and power are also hard to determine. In fact, it is easier to define all of the concepts in Figure 1 in abstract terms than it is to identify the value for any one of them in concrete situations. That is why so many competing theories can explain the same major behavioral patterns. Making matters even more complicated is that to determine the value of any one of the variables in the attribution framework we have to "know" the values of the others. For example, efforts to test our estimates of power will require an assumption about exertion. Anyone familiar with deterrence theory will recognize the difficulty of "proving" that deterrence has worked. Without being able to establish the other's motivation and level of determination, it is hard to decide exactly what role one's own power played in the other's decisions.

On the other hand, we need to identify how much power a state has in order to draw inferences about its motives. How we will interpret its behavior will depend on what we assume it could have done. Did its actions reflect a very significant "revealed preference" straining its capacities to the limits? Or did they reveal only a marginal interest using only a small portion of its available power? If it failed to take a terrible risk—say for example, foregoing nuclear war—this probably tells us very little about its preferences. On the other hand, if it failed to run the risks of even a public relations flap, then this can tell us a great deal. The motivations in this case must be quite low. But how risky are different actions? This again depends on our estimates of power, as well as the likely level of exertion we could expect from other actors.

Soviet Intentions and Power: Possibilities in the Middle East

The Soviet Union has many possible interests in the Middle East. There are economic opportunities in trade, investment, and obviously oil reserves. The political

[29] See Ye. Primakov, *Anatomy of the Middle East Conflict* (Moscow: Nauka, 1979).

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ground is not fertile for a messianic notion of spreading communism, but Soviet propagandists seemed determined to try just the same. The overgrown bureaucracy in the Soviet Union is sure to generates a host of administrative concerns and vested interests. Security concerns surely play a role as well. The combination of motives, whatever they are, generates several obvious objectives that all three general interpretations can agree on. The first of these is to play the tactical game of power wisely, securing Soviet influence and chipping away at the "enemy's" ability to threaten. This probably means being alert to the possibility that should conflict really erupt it would be advantageous to deny energy resources to the West. A defensive as well as an expansionist Soviet Union would see the utility of protecting and enhancing its leverage. There may be many different Soviet motives but which ones get priority? The imperial and expansionist ones or the defensive and reactive ones?

Few observers think that the Soviet Union has made much headway in expanding its control over Middle East affairs. Its relationships with Syria, Libya, Algeria, and South Yemen are hardly equal to the parties in the area that are either loosely aligned to the United States or staunchly nonaligned. The Soviet Union has been relatively cautious to date. Perhaps Moscow has been deterred. Maybe Soviet leaders are simply biding their time waiting for a better moment. No policy maker could afford to ignore these possibilities. Americans, however, would also be wise to examine the other propositions. The evidence may not disprove an expansionist interpretation, but it does not support it either. The defensive interpretation fits the evidence just as well. Moreover, the defensive view gives us something to focus on as a preliminary test. It suggests that the Soviet Union ought to be interested in a settlement for the Arab-Israeli conflict.

It is hard to imagine many events that are more controversial, generate more heat, get more attention, and are less likely to happen than peace between Israel and the Arab states. The polemics fly hot and heavy, and one enters the discussion at the risk of being attacked as an imperialist, racist, or anti-Semite, maybe all three. My sense is that most everyone in the conflict wants peace, but on their own terms. It makes little sense to say this side or that does not want peace. Both sides have things they are willing to fight for and will resist peace as advocated by the other. What is a "fair" and "just settlement" is very much a normative question. Equally tricky is deciding which proposals may really have some chance of producing a settlement or at least greater stability. This question raises not only normative issues but also requires estimates about relative influence and the motivating power of different unfulfilled aspirations. Some Israelis believe only a plan that guarantees their future control of "Judea and Samaria" coupled with permanent Israeli military superiority can insure stability. Americans often think that a compromise deal trading the land occupied in 1967 for Arab recognition of Israel may be viable. Most European governments find the American formulas unrealistic, complaining that they do not go far enough to satisfy Palestinian aspirations, and, therefore, will fail in the long run.

Evaluating Soviet proposals for the Middle East is difficult, because Americans

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typically operate with a different definition of the situation than do Russians. Most Americans see Israel as driven by fear and deep insecurity. They reason that more American support and fewer Arab threats may make it possible for the more far-sighted and courageous Israelis to take a chance on negotiating territory for peace. If the Arabs can be made to compromise and accept Israel's existence, then enough Israeli's, with American support, may be willing to compromise on the West Bank and even Palestinian autonomy.

Many Europeans, nearly all Arabs, and all official Soviet writers who publish in Moscow see the situation differently. They argue that Israel is overconfident, not insecure. It is too strong. Its leaders see no need to compromise. Military superiority established with generous American aid has convinced many Israelis that they can control "Judea and Samaria" forever and simply smash any Palestinian resistance by force.[30] In this view, more American aid will not make Isreal more forthcoming but less. The "stability" that can be imposed by Israeli might, they suggest, is only an illusion. The turmoil in the camps and the occupied areas will not go away, and the Israeli domination cannot last. Israeli power is simply not that great. Arab resources are too large and will someday reestablish or even reverse the balance of power in the region; and when they do, Arabs will seek revenge. In the meantime, the best course is to redress the Arab disadvantage and press for a compromise solution where Israelis and Palestinians accept each other's right to exist in independent states.

It is hard to compare the Soviet proposals to something we might call objective reality and to gauge whether they are serious plans likely to promote a settlement or simply fuel on fires that are already hard to manage. It is possible to compare them to other proposals and to identify if there is any common ground or if they are entirely one-sided. It also is possible to consider how closely Soviet proposals follow Arab demands and to compare how closely American plans follow Israel's. It is obvious the regional parties have different definitions of the situation and can find little to agree on. It is reasonable to expect a superpower, if it is promoting a settlement, to try and push its own ally a bit toward the center where some compromise might be found.

In July 1984, the Soviet Union put forward a six-point plan for peace in the Middle East.[31] It called for a return of the territories occupied in 1967 and a dismantling of Israeli settlements. Israeli boundaries would finally be set and declared inviolable. A Palestinian state was called for in the West Bank and Gaza with the proviso that as a sovereign state it might choose to form a confederation with its neighbor. The eastern part of Jerusalem was to be part of this Palestinian state.

[30] Ibid. Also see O. Kovtunovich and V. Nosenko, "Blizhniy Vostok-Silovaya Politika Imperializma v Deystvii," (The Near East-Imperialist Policy of Strength in Action) *MEiMO* 4 (April 1984): 51-63; and E. Ryabtsev, "Obuzdat' Agressora vo imya mira na Blizhnem Vostoke," (Curbing the Aggressor in the Name of Peace in the Near East) *MEiMO* 9 (September 1982): 86-89.

[31] "The Soviet Union's Proposals on a Middle East Settlement," *Pravda* 30 July 1984, *FBIS-SOV-84-147,* H1-3.

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The rights of all states to a secure and independent existence would be ensured, and an end would be put to the state of war between the Arab states and Israel. Finally, the settlement should be guaranteed by international bodies like the United Nations with the support of the permanent members of the security council. To get to this agreement the Soviet Union suggested that an international conference be held with the United States and the Soviet Union as principal participants. All the Arab States bordering Israel, Israel, and the PLO were expected to be full parties to the negotiations with a multilateral framework giving way to bilateral talks between Israel and individual neighbors on specific details.

The Soviet proposal, which is still advanced by prominent voices in Moscow, is clearly unacceptable in Israel.[32] Israel would prefer to deal bilaterally with the Arab states and would come to a multilateral conference only reluctantly. It may never agree to sit if the PLO is represented. Nearly all Israelis consider Jerusalem a closed question. It will remain undivided and Israel's capital. A Palestinian state, in their view, is untenable. Some transfer of territory is possible, but not "all" the land acquired in 1967. More conservative Israelis would go much further and refuse to withdraw from any territory. They might argue Jordan is already a state for the Palestinians, and Judea and Samaria are forever Israel's. The most extreme would prefer to expel the Arabs from the West Bank, but most would probably agree to some form of civil autonomy for the Palestinians under Israeli sovereignty.

Some analysts have interpreted the war in Lebanon as an effort on Israel's part to get these terms.[33] If the PLO could be crushed, then perhaps enough Palestinians on the West Bank would give up their hopes for a state and take whatever they could get. Some may even be brave enough to come forward and cooperate with Israel, perhaps less fearful that the PLO could hunt them down as traitors and quislings and deal with them accordingly.

If Israeli leaders believed that the road to long term control of Judea and Samaria went through Beirut, where the PLO was headquartered, then they must have been deeply disappointed by President Ronald Reagan's initiative in September 1982. The President reaffirmed American opposition to the Israeli control of the occupied territories and put the United States on the side of a "peace for land" sort of deal.[34] The West Bank would serve as part of a Palestinian homeland that would be confederated with Jordan under Amman's sovereignty. Reagan's initiative was immediately rejected by Israel.

The Reagan plan was quite different from the Soviet proposal that followed two years later. Instead of an international conference the Reagan plan intended to exclude the Soviet Union and Syria from the early rounds of negotiations. The PLO could not represent the Palestinians, and the idea of a Palestinian state was

[32] For a recent statement of the Soviet position see Ye. Primakov, "Problems and Judgments: Near East: Where is the Way Out of Impasse?" *Izvestia*, 28 October 1985, in *FBIS-SOV-85-210,* H4–8.

[33] See Ze'ev Schiff and Ehud Ya'ari, *Israel's Lebanon War* (New York: Simon and Schuster, 1984).

[34] For the text of President Reagan's address see Jimmy Carter, *The Blood of Abraham* (Boston: Houghton Mifflin, 1985), 228–234.

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ruled out. These are important differences. They were also part of what the Soviets saw as wrong with the Amman agreements between Jordan and the PLO. The differences, however, should not entirely blind us to what is similar in the Soviet and American proposals. They both revolve around the essential trade-off of peace for land and both accept the idea of mutual recognition. Moreover, the Soviet proposal is written to support a Palestinian state but explicitly raises the possibility of confederation. Also, while Moscow calls for an international conference, its proposal accepts the fact that under this umbrella bilateral negotiations, as Israel prefers, will go on.

The Soviet proposal is not terribly different from the Fahd plan put forward by Saudi Arabia and in part endorsed by the Arab League at Fez in September 1982.[35] Where Fahd had not specifically mentioned the PLO, the Fez declaration did. Both of these Arab plans included a clause that said "all the states in the region" should be allowed to live in peace but did not explicitly recognize Israel as one of these states. The Soviet Union recognizes Israel's right to exist and insists that the Arabs will have to accept this in the terms for settlement.

The Soviet Union's proposal is unacceptable to its major Arab allies including Syria, Libya, and Iraq. Iraq and Libya reject Israel altogether. Iraq has never recognized the original cease-fire, and Qaddafi is inclined to think in terms of the 1947 boundaries of Israel rather than the 1967 ones. Like some of the more militant groups in the Palestinian resistance, Libya and Iraq still cling to the image of an undivided Palestine ruled by Arabs. Syria's position is more complicated and more important.

Damascus does not directly endorse the outcomes the Soviet Union advocates. After all, even when the Soviet Union was an active organizer of the Geneva Conference in 1973, Syrian President Hafiz Assad refused to attend. When he was in Moscow in June 1985, however, he did not oppose the Soviet proposals nor did he remain conspicuously silent about them the way Qaddafi did in October. Instead, the Syrian domestic services reported to Damascus that Soviet and Syrian views were "identical" on the importance of achieving peace through an international conference. It went on to say that they both also believe that the Soviet proposals for a Middle East settlement provide a "sound framework" for achieving a "just and lasting peace."[36]

On a spectrum of Middle East settlement proposals both the Soviet and the American terms are somewhere in the middle. The Reagan plan moves further toward a compromise on the Palestinian issue than many Israelis would go, although it certainly could find Israeli supporters whom American leaders might call "moderate." The United States, of course, has not pushed the Reagan plan,

[35] See Saudi Crown Prince Fahd's plan in Subcommittee on Europe and the Middle East, Committee on Foreign Affairs, U.S. Congress, House, *Documents and Statements on Middle East Peace, 1979–82* (Washington, D.C.: U.S. Government Printing Office, 1982), 52. On the Fez agreement see Carter, *Blood of Abraham*, 236.

[36] Damascus Domestic Service, 19 June 1985, in *FBIS-SOV-85-120*, H1-2.

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and it may indeed be farther than the President himself is really willing to go. As far as the Arabs were concerned, the United States failed on the litmus test for "good intentions" by failing to stop new Israeli settlements on the West Bank.

The Soviet plan is mostly in line with the proposals acceptable to Arab leaders that the American government also from time to time describes as "moderate." On the question of compromising by recognizing Israel's right to exist it goes further than Jordan or Saudi Arabia have yet been willing to go, and certainly is not in tune with the more "radical" Arab positions taken by Libya or the most hardline Palestinians. If Syria is ready to follow the Soviet lead, it reflects more a shift toward the center on Syria's part than a change in the Soviet position. One might see the June 1980 Venice Declaration endorsed by the nine governments of the European Council as in between the Soviet and American positions.[37] It is crystal clear on Israel's existence and explicit about the inclusion of the PLO. It says that the "Palestinian people, which is conscious of existing as such," must be able "to exercise fully its right to self-determination" but does not use the word "state."

If we were looking for a compromise between only the American and Soviet proposals it might not be hard to find, at least not on the basic terms. The Soviet plan can accommodate the American insistence on a confederation with Jordan instead of an independent state for the Palestinians; and Americans have for some time been searching for ways to deal with the PLO. These may be issues on which the regional parties cannot bend, but they are not vital to Soviet or American interests. Including the Soviet Union in the settlement, however, is another matter.

The United States has been committed to excluding the Soviet Union from talks on the Middle East for over a decade. President Jimmy Carter endorsed a joint Soviet-American communiqué in 1977 but abandoned it long before any meaningful talks could begin. There were no official Soviet-American talks on the Middle East again until February 1985, when delegations at the assistant-secretary level met for two days in Vienna. The Reagan plan, like the Camp David talks before it, is designed to keep the Soviet Union out. This is diametrically opposed to the Soviet approach and Soviet interests. A compromise on this aspect is hard to imagine without a change in policy. Why is the United States determined to exclude the Soviet Union from possible talks? A number of important arguments against including the Soviet Union in negotiations have traditionally carried the day in Washington. At one level there is the desire to contain the Soviet Union. It may appear to some Americans that if the Soviet Union is not present at the tables it is not present in the Middle East. Obviously involvement in talks, just like relations with Israel, might give the USSR some marginal bit of additional leverage, but I suspect few in Washington are so naive as to believe that these sorts of diplomatic arrangements are a major source of Soviet power. The USSR's position in the area is determined by its military and political resources not American good will or Israeli favor. At a deeper level there is a more sophisticated containment argument.

[37] For the Venice Declaration, 13 June 1980, see *Documents and Statements on Middle East Peace*, 47.

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It is not a fear of granting the Soviet Union some sort of "legitimacy" in the area that worried Henry Kissinger. Rather he was concerned that a settlement in which the Soviet Union had a hand would substantially add to Soviet power. It would demonstrate to the Arabs that Soviet power made a difference. This change in the image of the effectiveness of Soviet support would then enhance Moscow's psychological leverage. If, on the other hand, negotiations remain stalemated, then over time Arabs may conclude that their relationship with the Soviet Union is not leading to fruitful results and should be abandoned. Kissinger claims this strategy led to Sadat's historic shift and would lead to a rollback in Soviet influence.[38]

Kissinger assumed that Moscow would not pay the price of confrontation to protect its image in the Middle East. In the long run this would not only lead to a breakdown in its relations with the Arab states, but would also allow Washington to broker a settlement more favorable to Israel's interests. If the United States were the sole mediator, then the Israelis could feel more confident that their concerns would be met. This might make the Israelis more forthcoming in compromise and put more pressure on the Arabs to give up some of their demands and take what they could get. A settlement would be easier to reach if there were an imbalance in power. One side, in this case the Arabs, would have to give. Moreover, some Arabs hoped that Washington would be an honest broker; and if the United States delivered a satisfactory compromise, American prestige would be enhanced. The United States could diminish Soviet leverage, secure its alliance with Israel, and improve its standing in the Arab world all at once. The Camp David Accords were a triumph for this sort of strategy.

Looking back over the twelve-thirteen years of American efforts to mediate the Arab-Israeli dispute, Camp David may have been the high point and the disaster in Lebanon a new low. I wonder if the thinking that carried us this far can take us much further. The exclusionist strategy was based on a number of assumptions that in the 1980s may not be reasonable. First, it assumed that the Arabs would take a chance on Washington as an honest broker. To sustain this "good faith," progress on the Palestinian issue was essential. Camp David would be attacked as a separate deal, an Egyptian betrayal of the Arab cause. The only way to prove to other Arabs that this was not so, was to make the second phase and transition period work.

Unfortunately, the Camp David framework did not lead to any progress on the basic problems of the Palestinians. By 1983 not only had the transition period passed without any success, or even any impressive efforts to deal with the outstanding problems, but Israel had attacked Lebanon and in the eyes of most Arabs had forced a second separate deal, this time under the pressure of direct military occupation. To make matters worse, by the spring of 1984 American forces, originally sent in as "peacekeepers" to protect Palestinian camps, were shelling Syria

[38] For some of Kissinger's thinking see his *The White House Years* (Boston: Little, Brown, 1979), 368–69, 378, 559, 1288–90, and *Years of Upheaval* (Boston: Little, Brown, 1982), 196–200, 209–12, 295–300, 469–72, 543–52.

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and Arab Lebanese positions. The King of Jordan as well as the Crown Prince of Saudi Arabia announced that any credibility the United States had had as a mediator was now lost and only a multilateral forum could be considered.[39] They said that Washington's pro-Israeli record and failure to pursue the Reagan plan had discredited it as a fair broker.

In Damascus the rhetoric was much tougher and stressed another point as well. It proclaimed that American power was not decisive. The United States, with its navy off Lebanon's coast had been forced to retreat across the horizon. In Syrian perceptions the United States had fled from Lebanon with its tail between its legs. For Syrians, the United States had been defeated. Certainly the United States could have done more. But this is not the point. So could have the Soviet Union. Arabs never doubted that Moscow could be more influential in the Middle East. They assumed it simply refused to commit more resources to their cause. This left the United States the major external power. But now the limits of the American commitment were clearer. The United States would not pay any price to determine the outcome. It could be forced to retreat. As the Damascus newspaper *Tishrin* editorialized: "The defeat—and not only the failure—of the U.S. policy in Lebanon is perhaps the most salient and obvious fact of this period."[40]

A second assumption on which the exclusionist strategy was based focused on Soviet power. The United States assumed that the Soviet Union could be excluded. Its power was thought to be in decline in the Middle East. Even if it had the capability to play a greater role, American leaders presumed that it would not run the risks of confronting the United States. Furthermore, why should Washington bestow a degree of importance on Moscow that the USSR does not command in the area by other means? It is not clear whether these arguments still hold. The damage done to the American image has reduced Washington's leverage but has not necessarily added much to the USSR's. Soviet power played no important role in the Islamic victory in Iran or in the Shi'ite's successful resistance to Israel in Lebanon. It has not protected the Palestinians and has instead become embroiled in a war against Muslims in Afghanistan.

Assessing Soviet power is not easy for Americans. At times they assume Moscow has immense influence calling the shots in Syria, Libya, and South Yemen, and in another instance assume it can be excluded from the Middle East if only Americans have the "will." Perhaps the biggest danger in American assessments is to fall prey to the biases inherent in "enemy" images.[41] One of these is to see the "enemy" as a "paper tiger" and pay more attention to American self-perceptions of "will" and "resolve" than to Soviet instruments of influence and capabilities.

[39] See Editorial, "The US Withdrawal and Many Lessons," *Ar'Ray*, 22 February 1984, in *FBIS-MEA-84-036*, F1–2; and *Ar'Riyadh*, 17 March 1984, in *FBIS-MEA-84-060*, C4.

[40] Editorial, "The Historic Leadership and the Lebanese Lesson," *Tishrin*, 25 February 1984, in *FBIS-MEA-84-039*, H2. Also see "Syria and an Arab Lesson," *Tishrin* 1 March 1984, in *FBIS-MEA-84-042*, H2–3.

[41] See Cottam, *Foreign Policy Motivation*; and D. Finlay, O. Holsti, and R. Fagen, *Enemies in Politics* (Chicago: Rand McNally, 1967).

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A second danger is to operate with an inherent bad faith assumption that interprets all Soviet inaction as a product of American deterrents.[42] If Americans assume that the Soviets are never restrained and are always exerting themselves fully, then Americans can draw very inappropriate conclusions about Soviet real capabilities. Americans may misread Soviet restraint as weakness or overextension and may be too quick to assume that U.S. extended deterrence works and in turn become overconfident about the American ability to "freeze" Soviet actions while Washington promotes its own terms for regional settlements.

A third danger may be to presume that the United States can deter the Soviets simply because they need to. It may be that American interests and vulnerability engage nuclear deterrents irrespective of the credibility of using these forces. My sense is, however, that this is little comfort to the military planners who have to confront the real problems of trying to project American force to an area like the Persian Gulf.[43] Ned Lebow has pointed out the role "wishful thinking" can play in the initiation of international conflicts.[44] He has illustrated that in many enemy relationships the cardinal error rests on the presumption that the adversary will not, or cannot, respond. It should be no surprise that adversaries typically underestimate the negative effect their actions may have on the reactions of others.[45] The enemy stereotype not only includes the image of a "paper tiger" that will retreat at the first sign of strong resistance, but also promotes the notion that a forceful demonstration of resolve will produce accommodative behavior on the adversary's part.

Ironically, if Americans adopt too stark an enemy image of the Soviet Union, they are likely to both overestimate the Soviet threat and at the same time, underestimate Soviet capabilities. If the Soviet Union is bent on expansion, then when it fails to seize opportunities the only explanation that is consistent with the motivational assumption is that the opportunity must not have really existed. Soviet power must not have been sufficient to overcome the global and regional deterrents. When this logic prevails, the study of power is made derivative of the assumptions about motives and is disconnected from empirical analysis. The prior beliefs about the enemy's intentions may be protected, but if in the process a serious self-deception about its capabilities goes on, then the dangers are great indeed.

Along with resisting the temptation to see the Russians as ten feet tall, Americans need to refrain from reading what is possibly restraint as a sign of weakness. The only way to differentiate effective American deterrence from conscious Soviet restraint is to consider the credibility of the American deterrents and the opportuni-

[42] Douglas Stuart and Harvey Starr, "Inherent Bad Faith Reconsidered: Dulles, Kennedy, and Kissinger," *Political Psychology* 3 (September 1982): 1–33.

[43] See Thomas McNaugher, *Arms and Oil: US Military Strategy and the Persian Gulf* (Washington, D.C.: Brookings Institution, 1985).

[44] Richard Ned Lebow, *Between Peace and War: The Nature of International Crisis* (Baltimore: Johns Hopkins University Press, 1981).

[45] Robert Jervis, *Perception and Misperception in International Politics* (Princeton, N.J.: Princeton University Press, 1976), 354–55.

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ties Soviet capabilities afford Moscow. As Robert Jervis found, one of the most common "misperceptions" in international politics is the exaggeration of the centrality of your behavior in the decision making of others.[46] In this case, the danger is to underestimate Soviet capabilities and to inflate the effectiveness of American influence. I raise this warning flag not as a charge that this is indeed happening, but rather as a lesson that flows from the work on psychological biases that we should bear in mind as we struggle to interpret Soviet behavior.

No one should forget that in military terms the Soviet Union is a superpower. It has enormous resources and devotes many of them to the production of military instruments. There is no shortage of tanks, missiles, advanced aircraft, antiaircraft missiles, and other military supplies in the USSR. It has provided the Arabs with a great deal but has the capacity to give them a lot more.[47] Its economic instruments are limited, but its military and covert forces give us all concern. It also enjoys substantial logistic advantages in the Middle East compared to the United States. The forces deployed by Israel today are superior to any Arab country and could probably handle any deployments that the USSR would be likely to send to Syria, at least in the short run.[48] But the key words are "likely to send" and "short run." The Soviet Union could send long-range ground-to-ground missiles, any number of their four or five available airborne divisions, a couple of divisions of regular military personnel, or even nuclear weapons. It is possible for Israel to preempt against some Soviet deployments on a near-term horizon, but over time it could never match Soviet potential.

Despite its apparent military capabilities, the Soviet Union tries to avoid challenging Israel. Syrian missiles move in and out of the Bekaa valley. While some of these redeployments may not make much military difference, they do reflect a Soviet willingness to respond to Israeli objections. Why Moscow bows to Israel's claim that it has a right to fly and bomb at will over Lebanon is a good question. It may be that they recognize that Israel does not stand alone. Maybe Israel cannot match Soviet potential, but perhaps the United States can. Soviet inaction may be a product of American deterrence not Soviet restraint. On the other hand, the United States may be too quick to deny Soviet restraint. There is no definitive way to sort these possibilities out, but they deserve far more consideration than they usually get. If the answer is crystal clear, then the complexities and uncertainties of the situation are being too quickly discounted.

The Arab-Israeli Conflict: Superpower Contributions to Peace

What drives Soviet behavior in the Middle East? What are its interests in the Arab-Israeli conflict? At one level these questions seem fairly easy to answer. The Soviet

[46] Ibid., 343–348.

[47] See Roberts "Soviet Arms-transfer Policy." For a historical record see Jon Glassman, *Arms for the Arabs* (Baltimore: Johns Hopkins University Press, 1975).

[48] See Dennis Ross, "The Soviet Union and the Persian Gulf" in Caldwell, ed., *Soviet International Behavior*, 159–186, 176–77.

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Union is driven by a strategic competition with the United States and seeks to reduce American influence in the area while increasing its own. Moscow has any number of more specific interests ranging from hard currency income from arms sales to the development of countries with a "socialist orientation." It may not need oil in the short run, but it is aware of the strategic leverage that could accrue if it were able to deny, or control, the West's access to Middle Eastern oil. Moscow is also sensitive to tactical opportunities and will encourage anti-American sentiments where they flourish as long as they are not very demanding of Soviet resources.

Outlining the tactical patterns that seem to energize Soviet actions is not nearly as difficult as interpreting Moscow's strategic behavior. Is its competitive behavior driven by a sense of American weakness and regional vulnerability, or by a sense of possible threat from American encirclement? Is its lack of full-scale commitment a reflection of its own perceived limits in the area, or simply a decision that the area is not that important? If Soviet caution reflects a lack of motivation or a low sense of urgency, then what sorts of developments are likely to change this relative satisfaction and stimulate more vigorous and more forceful Soviet interference? These are the questions that American policy must respond to. None of them has obvious answers.

Americans often make assumptions about Soviet motives. Some are convinced the Soviet Union is expansionist. For them, American weakness will excite more aggressive Soviet behavior. Others believe that its expansionist impulse is tempered by a sense of opportunism. Still other Americans are convinced that the leaders in Moscow are essentially driven by defensive security concerns. In their minds, American efforts to deter Moscow provoke more active escalation. None of these perspectives is mutually exclusive, and, unfortunately, there is no perfect way to test the validity of any of them. Each, in its own way, is non-falsifiable and immune from any empirical test.[49] All three include critical concepts that are poorly defined and often tautological. The opportunistic perspective, for example, presumes that Moscow seizes opportunities; but we have no good way of identifying these opportunities except after the fact. We know the opportunity existed when the Soviets take it. If they remain inactive we can assume that either they did not see the opportunity or that it simply did not really exist. It occurs to us less often that the opportunity did exist and that they simply lacked the desire to take it.

I introduced the attribution framework in this article to illustrate why determining what drives Soviet behavior is so difficult. Is rather cautious Soviet behavior in the Middle East a product of restraint and lack of will? Is it caused by insufficient Soviet power? Or is it a reflection of the Soviet estimate of how difficult the task would be and a decision that the gains of a more active stance would not be sufficient given the possible direct expenses and opportunity costs?

None of these possibilities is easy to exclude, because none of the variables in the attribution formula are easy to identify. What was the level of Soviet exertion relative to the maximum possible? Who could tell? What is the difficulty of the

[49] See Herrmann, *Perceptions and Behavior in Soviet Foreign Policy.*

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task? This depends on a host of regional judgments, to say nothing of the assumptions that need to be made about the credibility and likelihood of possible American counteractions. Furthermore, whatever arguments we may mount, our conclusions will always be hypothetical. Only more aggressive Soviet behavior would give us the evidence we need to estimate the limits of its capabilities. Just as it is impossible to determine if the United States could have prevailed in Vietnam if only it had had more willpower, so must our conclusions about the ability of the Soviet Union to play a greater role in the Arab-Israeli conflict remain hypothetical. Speculations about what might have been and could be are the grist for heated polemics but are not amenable to any definitive scholarly test.

One of my objectives in this article has been to point out why there is an irreducible measure of uncertainty in any estimate of Soviet motives and intentions in the Middle East. To the extent we have closed these questions and accepted hard and fast assumptions we should take note of Robert Jervis's advice to rethink what we take for granted.[50] At the same time, nothing in this article should give the impression that because analyzing Soviet motives and interests is difficult, then anything goes. I am not suggesting that one perspective is as valid as another and that there is nothing we can gain from careful scrutiny. To the contrary, my argument is that we have not spent enough time truly wrestling with the problems of interpretation; and we have too quickly abandoned the effort to subject our ideas about Soviet intentions to the best tests we can devise.

It may be that the Soviet Union will oppose a settlement of the Arab-Israeli conflict. Perhaps Moscow's need to "keep the pot boiling" is so great that it will act to short circuit any peaceful initiative. If it plans to dominate the area, then certainly the Arab dependence on Soviet arms provides it with a wide avenue for penetration. But this perspective presumes that the driving force behind Soviet policy is eventually to expand and control the area. It is insensitive to the possibility that the primary Soviet concern in the Middle East is the United States. In this case, Soviet interest in a settlement would be genuine. A resolution of the regional contest would allow the Kremlin to relax its competitive posture in the Arab world, worry less about its credibility in this area, and thus redirect resources to other pursuits at home.

The Soviet Union is not opposed to all settlement plans. The terms it favors are not acceptable to Israel or the United States, but can be seen as moving toward a compromise. Moscow has put pressure on its friends to accept Israel's existence, but it will not force its allies to accept Israel's terms. It does not accept Israel's definition of the regional situation and doubts Israel's benign intentions. Consequently, it suggests that countervailing power arrayed against Israel is likely to be more effective than reassurances, but in fact it has never delivered to the Arabs the kind of "deterrent" force (deep strike aerial capability) they have sought, much less provided them with anything approaching a capability to "compel" a change

[50] Jervis, *Perception and Misperception*, 410–418.

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in Israel's positions. This later option may be beyond Moscow's abilities, but the deterrent force is clearly within its reach.

That Moscow has not given still more arms to the Arab "confrontation front" may be little comfort. But it does suggest that the U.S. exclusionist strategy may be more an illusion than reality and by the late 1980s may have run its course. The Soviet Union commands influence in the Middle East whether the United States is talking to it or not. The Soviet Union and Syria are clearly strong enough to block any further movement if it is antithetical to their interests. The wave of violence that derailed King Hussein's initiative suggests that even Palestinians, and Syrians working indirectly, with only the instrument of terrorism, are able to do this.

It would be foolish to abruptly change course and assume that the USSR is interested in working toward a compromise regional settlement, just as it is foolish to assume that it is not. Nevertheless, in my view the time has come to put Soviet diplomacy to a stiffer test. Instead of basing American diplomacy on assertions about Soviet designs, the United States might test this article's competing propositions about Soviet motives. It is possible to explore Moscow's intentions without endangering American interests. Moscow will fail tests that expect the Soviet Union to simply accept Israel's or the United States's perspective. However, one ought to be able to devise more serious initiatives that are aware of the quite different perceptions of the situation yet encourage both superpowers to build on what is common in their plans for a regional settlement. The common ground, judging from the proposals to date, may not be as narrow as often believed.

Certainly moving into a multilateral framework would involve risks; but so does the current American policy. Moreover, the Soviet Union may fail even the most generous test of its desires for a resolution of the regional conflict. I do not suggest abandoning one set of "hawkish" assumptions for a second set of "dovish" ones. Rather, I am suggesting that the United States conceive of its diplomacy as a test, not entirely different from a physician's test, which can improve political diagnosis. The strategy, like the physician's, might be to make causal conclusions more tentative and to retest quite frequently to watch for change and the possibility that the initial judgment was wrong.

There is no panacea or miracle cure for the Arab-Israeli dispute, or Soviet-American relations for that matter. The great power competition does not prevent any imminent regional breakthroughs from occurring. None are likely. I doubt any compromise settlement will emerge from the regional parties alone. The Soviet-American rivalry, however, has prevented the superpowers from playing a coordinated role pushing for a compromise. In many ways their proposals are similar, but neither wants the other to be seen as the decisive outside influence that brought about a settlement. The tragedy is that Soviet and American behavior contributes to an escalating regional arms race and interminable terror and violence.

Perhaps the arena of most serious contest could be explored as an avenue of possible cooperation. At a time in which most regional conflicts seem to evoke mounting confrontation, there is no reason to be optimistic about the outcome. But there is little reason to be satisfied with the present stalemate either. A coordi-

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nated effort would allow the United States to press ahead with most of the substance of the Reagan plan and may deliver not just Jordan, but more importantly, Syria. Gorbachev, on the other hand, might be partially reassured that Americans are aware of Soviet military power and regional influence and find less need to demonstrate the point. The effort would be sure to generate more terror from various regional groups, afraid that any compromise might be struck, but could move the primary regional actors a bit closer to peace. It might also move Soviet-American relations away from competitive bravado, with both sides desperately showing their "will" and "resolve," and toward some more secure footing.*

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Restructuring Canada's Defense Contribution: A Possible Key to Western Security

STEVEN L. CANBY
JEAN EDWARD SMITH

Canada's defense contribution is an engima. Canada possesses the second largest land area, the seventh most powerful industrial economy, and according to the most recent report of the Organization for Economic Cooperation and Development (OECD), enjoys the second highest standard of living in the world. It was a prominent founding member of NATO and a valued co-belligerent in the Korean War. Yet today it has fewer forces and contributes less to the alliance than Denmark. In wealth and population, Denmark is one-fifth the size of Canada. But fully mobilized, Denmark can put almost twice as many people in the field as Canada, and Danish forces are more deployable. If Canada would contribute to NATO commensurate with its wealth and population, it would do much to solve the problems of western defense. Indeed, were Canada simply to spend the NATO *average* on defense (3.7 percent of GNP) and if this contribution could be designed to fill gaps in a framework of NATO division of labor, Canadian increases would be sufficient to help trigger a transformation of NATO's inferiority in conventional forces into a genuine military balance with the Warsaw Pact, thereby altering the strategic equation in Europe and reducing decisively NATO's reliance on nuclear weapons.

The current imbalance in conventional forces in central Europe represents the single most destabilizing factor in East-West relations. NATO's relative conven-

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tional weakness requires the use of a first-strike nuclear attack to defend vital European territory, and that strategy in turn invites a devastating nuclear response. Such potentially destabilizing weapons systems as the MX missile and the Strategic Defense Initiative (Star Wars) spring from the fear of precisely such escalation. The best way to avoid that risk is not new technology or elaborate weapons systems, but an enhanced conventional defense of West Europe, which makes an early recourse to nuclear weapons unnecessary.

As this article suggests, effective conventional balance with Warsaw Pact forces in central Europe is readily attainable. Canadian forces in themselves cannot tip the balance. But a well-planned, decisive augmentation of Canadian troops on the Central Front can provide the catalyst to revive flagging European commitments and reorient NATO's defensive strategy. The notion of reallocating roles and responsibilities in NATO has been discussed regularly over the years. The need for strengthening the alliance's non-nuclear capabilities is widely acknowledged. At the same time, the budgetary limitations and, in some cases, personnel constraints confronting NATO's European members make it problematic for them to increase substantially their active forces. Canada's untapped personnel and economic potential, if effectively harnessed, could permit the alliance to pursue a robust non-nuclear strategy, foreclose Soviet sudden attack options, deny the Warsaw Pact the prospect of military success, and thereby place the onus of nuclear escalation upon the adversary.

Canada's current contribution to the alliance suffers from inadequate budgetary and personnel commitments, an extraordinarily low ratio of military output to budgetary input, and little military relevance for the forces that are deployed. Canada is not by temperament a pacifist society, nor is it by nature a shirker. Canada's courage and sacrifice in two world wars (86 Victoria Crosses) has been truly exceptional. Between 1914 and 1918, with a population of only seven million, Canada lost 61,332 soldiers killed and another 172,950 wounded. (That's seven times the rate of American casualties.) In World War II, one in every ten Canadians served in the armed forces; forty-two thousand were killed or listed as missing (the approximate U.S. rate); and by war's end, the Royal Canadian Navy, with a fleet of nearly one thousand destroyers, frigates, corvettes, and miscellaneous craft was responsible for escorting four-fifths of all Atlantic convoys.

Like all western democracies, Canada demobilized after 1945, but rearmed for Korea. As late as 1964 Canada was devoting over 4 percent of GNP to defense—which was well above the NATO average. Canadian forces were adequately armed with the first generation of post-World War II weapons, and military expenditures constituted some 20 percent of government spending. In short, through the mid-1960s Canada was paying full fare for alliance partnership. Canada's backsliding began during the Liberal ministry of Lester Pearson (1963–1968). Strapped for funds to support burgeoning social programs, the Pearson government froze the defense budget in 1964 at $1.6 billion for five years, introduced a modest reequipment plan, and sought to achieve significant savings through service unification. The latter savings, of course, proved illusory, and Canada remains the only country

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to have entered the miasma of military unification. Not all of Canada's shortcomings can be blamed on unification. But unification has not proved to be more cost-effective: it has not removed disputes among the functional branches, reduced staff layering, nor, judging from the state of Canadian forces, improved the quality of military advice. By 1968, military personnel had shrunk 20 percent; the capital portion of the defense budget had declined from 19.9 percent to 10.2 percent (the lowest in NATO); defense spending as a percentage of total government spending had plummeted one-fifth, and overall, Canadians were contributing just 2.4 percent of GNP to defense—a 45 percent drop in five years.

But it was the Trudeau years that destroyed Canada's fighting capacity. In addition to the soaring costs of Liberal domestic programs, Pierre Trudeau himself rejected the necessity for an effective Canadian defense establishment. First, it was a question of attitude. Alone among western leaders, Trudeau shirked military service in World War II, preferring the serenity of university studies in Montreal. As he told the Canadian electorate in 1968, he had been taught to "keep away from imperialist wars," which at the very least is an odd judgment about the world's struggle against Nazi Germany.[1]

Second, unlike his ministerial contemporaries in London, Paris, Washington, and Bonn, Trudeau refused to believe that Soviet communism posed a threat to the West. To the contrary, he believed it was better for Canada, in his words, to join the "caravan of humanity" moving inevitably "towards the Left," than to "perish in the desert of times past."[2] And if there was no Russian threat, Canada had no need for expensive armed forces. This freed defense monies for domestic purposes.

Finally, perhaps because of his predilections, Trudeau failed to recognize the link between defense and foreign policy: the fact that Canadian preferences for the world could not be discussed in isolation from broader international security issues and that Canada's voice in such matters corresponded directly to its NATO contribution. Indeed, there was something quixotic about Trudeau's quest for peace and disarmament. It was as if missionary zeal and self-righteous rhetoric would suffice to preserve western democracy. Paradoxically, Canada wanted its counsel heeded and considered itself rightfully attending Big Seven economic summits, yet resolutely declined to carry its fair share of the defense burden. To the extent that Trudeau addressed defense issues, it was usually to hector western leaders about accommodation with the Soviet Union and to decry military build-ups of all kinds—conventional as well as nuclear. Not only did Trudeau's rhetoric help to create an atmosphere in Canada in which sustaining any military effort would be difficult, but he spearheaded the drive to reduce defense spending.

With few exceptions, the Liberal establishment that ruled Canada under Trudeau and Pearson came to share these views. Defense was downgraded as a Cabinet

[1] Pierre E. Trudeau, *The Best of Trudeau* (Toronto: Modern Canadian Library, 1972), 51.

[2] Pierre E. Trudeau, *The Asbestos Strike* (Toronto: James Lewis and Samuel, 1974), 339–45. Also see Philip C. Bom, *Trudeau—Truth and Consequences* (St. Catharines', Ontario: Guardian Press, 1977), 121.

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TABLE 1

Gross Domestic Product and Current Defense Expenditures NATO–1984 (millions U.S.$)

	Gross Domestic Product	*Total Defense Expenditure*	*Defense as Percent of Gross Domestic Product*
Belgium	$78,101	$2,533	3.3
Britain	400,038	21,995	5.5
CANADA	331,310	7,027	2.1
Denmark	54,883	1,208	2.2
France	492,270	20,113	4.1
West Germany	613,163	20,430	3.3
Greece	32,900	2,204	6.7
Italy	348,385	9,929	2.9
Luxembourg	3,234	40	1.2
Netherlands	122,511	3,976	3.3
Norway	54,723	1,555	2.8
Portugal	19,446	629	3.2
Spain	161,327	3,862	2.4
Turkey	48,531	2,190	4.5
United States	3,619,200	250,011	6.9

Source: International Institute for Strategic Studies, *The Military Balance: 1985–86* (London: International Institute for Strategic Studies, 1985), 6, 39–60.

portfolio, budgets were brutalized, and Canada's contribution to NATO was halved. During his sixteen years in office, Trudeau went through ten defense ministers, all of whom were junior in political stature. None were admitted to the so-called "inner cabinet" of senior policy makers, and none had a major impact on Canadian policy.

Like Luxembourg, Canada had come to view defense as something beyond its control. The Cuban missile crisis of 1962 may have contributed, for its impact

TABLE 2

Per Capita Income and Defense Expenditures 1984 (in U.S.$)

	Income per capita	*Defense Expenditure per capita*	*Defense Expenditure as a percent of per capita income*
United States	$15,105	$1,043	6.90
CANADA	13,173	279	2.11
West Germany	10,019	334	3.33
France	8,922	364	4.07
Britain	7,141	393	5.50

Source: International Institute for Strategic Studies, *The Military Balance: 1985–1986* 6, 40–49.

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on Canadian public opinion was profound. The belief grew that no matter what Canada did, its fate would be determined by the United States. This further encouraged the attitude that Canada's contributions to collective security were either of marginal importance or dispensable altogether. The extent to which the Luxembourg syndrome has taken hold is illustrated in Table 1. In broad aggregate terms, Canada's GNP constitutes 5 percent of the entire NATO total, yet its defense budget amounts to less than 2 percent. In national terms, Canada ranks at the very bottom among its NATO allies. And it is not simply a question of keeping pace with the superpower responsibilities of the United States. Europe's industrial nations—Britain, France, and West Germany—the countries that are economically comparable to Canada, all spend significantly more on defense than Canada.

The Luxembourg syndrome is even more conspicuous in per capita terms (see Table 2). The average Canadian spends $279 annually on defense. This is roughly one-quarter of what Americans spend each year and considerably less than that spent by the Germans, English, and French, notwithstanding the fact that per capita income in Canada is significantly higher than in Germany, Britain, or France.

This low level of defense expenditures is a legacy of the Trudeau-Pearson years. As Table 3 indicates, the precipitate decline began in fiscal 1965–1966 and continued unabated until the brief Conservative interlude in 1979–1980 (fiscal year [FY] 1980–1981). Since 1979, a combination of Tory rule, Soviet intervention in Afghanistan, and a general hardening of European insistence that Canada contribute more has led to a slight rise from the Trudeau low point when Canada devoted only 1.6 percent of its GNP to defense. In fact, Canada currently is one of only three countries to have adhered to NATO's 1978 decision to increase defense spending in real terms by 3 percent annually, although because of the low level from which Canada began, this rise has been extremely modest. Curiously, this 3 percent contribution has proved exceedingly useful to Canada within NATO circles by shifting the spotlight of attention upon other nations which are actually doing more. Domestically, it also has allowed Ottawa to disarm its critics by pointing to Canada's nominal compliance with alliance targets.

Regardless of what standard one uses, Canadian performance has been poor.

TABLE 3

Canadian Defense Expenditure as Percent of Gross National Product 1964–1985

1964–65	4.4	1971–72	1.9	1978–79	1.7
1965–66	3.0	1972–73	1.9	1979–80	1.6
1966–67	2.8	1973–74	1.7	1980–81	1.7
1967–68	2.7	1974–75	1.6	1981–82	1.8
1968–69	2.5	1975–76	1.6	1982–83	1.9
1969–70	2.4	1976–77	1.7	1983–84	2.0
1970–71	2.1	1977–78	1.8	1984–85	2.1

Source: International Institute for Strategic Studies, *The Military Balance* (1964–1986).

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TABLE 4

NATO Military Personnel
–1985–

	Population	*Armed Forces*	*Percent of Labor Force*
Belgium	9,890,000	91,600	2.7
Britain	56,020,000	337,100	2.1
CANADA	25,150,000	83,000	1.0
Denmark	5,150,000	29,600	1.6
France	51,170,000	464,300	3.1
West Germany	61,200,000	478,000	2.4
Greece	10,300,000	201,500	5.7
Italy	57,150,000	385,100	2.4
Luxembourg	367,000	700	0.9
Netherlands	14,500,000	105,500	2.4
Norway	4,150,000	37,200	2.5
Portugal	10,280,000	73,000	2.2
Spain	39,500,000	320,000	N/A
Turkey	49,500,000	630,000	4.6
United States	239,600,000	2,151,600	2.9

Source: International Institute for Strategic Studies, *The Military Balance: 1985–1986*; NATO Press Release, M-DPC-2 (84) 28, 4 December 1984.

Government spending, for example, is fourteen times greater now than in 1964, but military spending has increased at only one-third that rate—the smallest increase of any government department, one-fifth less than the increase in the Canadian Price Index, and much less than the rapidly rising costs of military hardware. Today Canada devotes 10 percent of its budget to defense. In the United States 30 percent of the federal budget goes for defense, 23 percent in West Germany, 19 percent in France, and 14 percent in Britain. (Because France and Britain are nonfederal countries, the defense component of the national budget is somewhat understated, since those budgets include educational and social costs often borne at the state or provincial levels.)

The Canadian Senate appears to agree. According to a recent report of the Sub-Committee on National Defence of the Standing Senate Committee on Foreign Affairs, "The current Canadian level of expenditures on defence does little more than buy the country the worst of both worlds. While the expenditures are large enough to represent a significant charge on the national exchequer, they are too small to produce worthwhile results." The committee argues that Canada must increase defense expenditures to approach the NATO average and that its backsliding has contributed "not to raising but to lowering the nuclear threshold."[3]

[3] Report of the Sub-Committee on National Defence of the Standing Senate Committee on Foreign Affairs, *Canada's Maritime Defence* (Ottawa, May 1983), 98, 99.

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TABLE 5

Trained Military Reserves North Atlantic Treaty Organization

–1985–

United States	1,212,300
Spain	1,085,000
Turkey	936,000
Italy	799,000
West Germany	770,000
Greece	404,000
France	393,000
Britain	294,500
Norway	291,000
Belgium	178,500
Netherlands	176,300
Portugal	173,000
Denmark	162,200
CANADA	24,700
Luxembourg	0

Source: International Institute for Strategic Studies: *The Military Balance, 1985–1986.*

Military Personnel

Canada's deficiencies in military personnel are even more glaring than its financial shortcomings. The total size of Canada's armed forces is 83,000. This is less than one-fifth of the active forces of France or West Germany, and one-fourth that of Britain (see Table 4). Incredible as it may seem, the Canadian military is considerably smaller than the armed forces of Belgium (91,600) and The Netherlands (105,500). And as a percentage of the labor force, only tiny Luxembourg has fewer people under arms than Canada. Indeed, its NATO allies can sing the Canadian national anthem with true conviction: "O Canada, we stand on guard for thee."

If there is a silver lining in this bleak picture, it is that like Britain and the United States, Canada's armed forces are professional, long-service veterans. They are highly trained, able to use sophisticated equipment, and some are capable of immediate deployment. They would provide excellent cadre for a large-scale mobilization. The down side is that Canada has little sophisticated new equipment and virtually no reserves to mobilize. In fact, Canada's reserve strength (24,700) exceeds only that of Luxembourg, which has none (see Table 5).

Canada's virtually non-existent reserve potential reflects not only two decades of systematic neglect, but an abject failure to confront the civic obligations that the maintenance of a free society entails. Shielded by the luxury of U.S. proximity, but simultaneously resentful of it, Canada places few demands on its citizens. As Table 5 demonstrates, those nations that have military service obligations have a trained pool of reserve military personnel on which to draw in case of emergency. Countries like Britain and the United States, which rely on volunteers, also

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TABLE 6

Canadian Armed Forces, 1960–86

1960	120,000	1969	98,340	1978	77,843
1961	119,300	1970	95,353	1979	78,264
1962	124,000	1971	88,390	1980	78,714
1963	124,000	1972	82,149	1981	80,000
1964	120,781	1973	81,444	1982	80,601
1965	114,164	1974	81,589	1983	81,148
1966	107,467	1975	81,630	1984	81,604
1967	105,721	1976	77,411	1985	82,047
1968	101,676	1977	77,414	1986	83,000

Source: International Institute for Strategic Studies, *The Military Balance* (1961–1986); Department of National Defense, Budget Estimates, 1970–1986.

have highly organized reserve units. Canada, by contrast, has substituted complacency for security. Its militia tradition is neglected, and for reasons of alleged domestic harmony traceable to Quebec's hostility to conscription in World Wars I and II – but largely unexamined since – Canada has eschewed mandatory military service.

Canada's devastating drop in military personnel parallels the spending decline of the Trudeau-Pearson period (see Table 6). In 1963 Canada's present-for-duty strength totalled 124,000. The Army was organized into three full-strength infantry brigade groups, two of which were earmarked for Europe, and the third for the Defense of Canada Force. An additional reinforced battalion was available for UN service, and there were 50,000 trained reserves. Canada's navy included one aircraft carrier (HMCS *Bonaventure*), twenty-six destroyers, seventeen frigates, ten minesweepers, four submarines, and four squadrons of shore-based aircraft. The air force consisted of one air division in Europe; five squadrons of CF-104 Voodoo interceptors and two Bomarc B missile squadrons assigned to North American air defense; four Argus squadrons for coastal patrol; and four transport squadrons.

Today, according to the appraisal provided by the International Institute for Strategic Studies, Canada's land forces total 21,000 actives, including one half-strength brigade group (4,056 people) in Europe. Canada's two-ocean navy now boasts fewer ships than the British Columbia ferry service. Not only is there no aircraft carrier, but of its twenty-three fighting ships, all but four are between twenty-one and twenty-nine years old, are well beyond the age of refit, possess no defense against incoming missiles, and in the words of Rear Admiral Michael Martin, former chief of Maritime Forces Pacific, "will not only be in danger but a liability to the Commander."[4] The Air Command, reduced from 50,000 to 23,000 people consists of some 181 combat aircraft and 32 combat helicopters, many of them not serviceable.

[4] *Proceedings of the Senate Sub-Committee on National Defence*, 8 February 1983, 38: 24.

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TABLE 7

Military Personnel
Canada-Sweden-Switzerland
–1985–

	Population	*Active Armed Forces*	*Percent of Population*	*Reserves*	*Percent of Population*
CANADA	25,150,000	83,000	.33	24,700	0.1
Sweden	8,343,000	65,650	.79	735,000	8.8
Switzerland	6,513,000	20,000	.31	625,000	9.6

Source: International Institute for Strategic Studies, *The Military Balance: 1985–1986* (London, 1985).

As Peter C. Newman, a prominent critic of Canadian defense policy, has written, "The dedication of most of our service personnel is beyond question: their equipment is beyond salvage. Our forces have no mobilization plan, cannot effectively intercept unannounced aircraft flying over our territory, and are unable to enforce the 200-mile fishing limit at sea or suppress acts of terror on land."[5] If anything, Newman has understated the problem.

Europe's Neutrals

The argument is often advanced in Canada, particularly in academic circles, that Canada should leave NATO and assume an independent third role between East and West. Implicit in such discussions is the belief that neutrality is costless, that it need not be defended, and that international good intentions will preserve Canadian independence. While the lessons of Poland and Afghanistan have undermined neutralist sentiment to some extent, such rhetoric ignores the experience of traditional neutral nations like Sweden and Switzerland. Both Sweden and Switzerland devote significantly more resources to defense than Canada, and the exceptional quality of their massive reserve forces underscore the fact that the cost of defending neutrality comes high. In per capita terms, the Swedes contribute 24 percent more of their income to defense than Canadians, and even the thrifty Swiss expend 16 percent more.

Such lesser neutrals as Austria and Finland maintain reserves far in excess of Canada. Finland, with a population of 4.8 million (20 percent of Canada's) can mobilize 700,000 trained and fully equipped people in divisional structures. Austria (population 7.6 million) can mobilize 170,000; another 970,000 people have a reserve commitment. By contrast, Canada's reserve structure consists of 19,000 poorly equipped and undertrained militia, 3,200 naval reservists, an air reserve group of 1000 people, plus assorted auxiliaries – a grand total of 24,700 (or less than one-tenth of one percent of the Canadian population). And unlike other countries, Canada's reservists cannot be called to active duty without their consent.

[5] Peter C. Newman, *True North: Not Strong and Free* (Toronto: McClelland and Stewart, 1983), 15.

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Budgetary Input versus Military Output

While it is true that in terms of economic and industrial capacity, Canada contributes less to the alliance than any of its allies, nevertheless, in real terms Canada's defense budget for 1985–1986 exceeds $7 billion (U.S.). This ranks six in NATO, just behind Italy, and is about one-third that of Germany, Britain, and France. On that basis, Canada ought to field about twice (or even three times) the military force it presently supports.

But the fact is, Canada's ratio of combat to support personnel is by far the worst in the alliance. A 1980 study commissioned by the then Tory government reported that 60 percent of the armed forces served in support roles. Today, of Canada's 83,000 total forces, 41,200 have been shunted into administrative and maintenance duty and are unavailable for combat. Another 12,400 are undergoing training of various types and are also unavailable for active duty. Similarly, of the 5,817 infantry on the rolls of the militia, only 647 are available for augmenting the regular force; the remainder consist of recruits, those attending school, female or underage personnel, non-effectives, and those working in essential occupations.[6] As Vice Admiral Douglas S. Boyles, former chief of the Maritime Command, laconically noted, his total seagoing strength (5100) was "about 100 more than the crew of the U.S. carrier *Independence*."[7]

There are several possible explanations for Canada's poor showing. First, Canadian geography imposes ineluctable demands on the armed forces. With the world's longest shoreline and second-largest land mass, Canada's forces necessarily are distended. Currently, the Department of National Defence operates thirty-three bases, thirty-one stations, forty-eight sites and forty-eight armories in Canada. This large infrastructure absorbs about one-fifth of the defense budget.[8] Second, during the Trudeau-Pearson years of defense cuts, headquarters staff and general overhead functions providing jobs and income for the civilian economy were better insulated from budget cutters than were the combat units. Third, Canada's personnel costs are extraordinarily high—but not necessarily because of voluntarism. Voluntarism often leads to lower costs because of training reductions, less personnel turbulence, and greater readiness. In Canada's case, personnel costs are high primarily because of the overstaffing and overranking that are characteristic of Canadian public services in general and because of flagging modernization—which means that personnel costs loom large in the defense budget.

Canada's ratio of officers to enlisted people is the highest in the alliance. Of Canada's 83,000 servicemen and women, 16,763 (20 percent) are officers. Another 7,952 (9.6 percent) are warrant officers, master warrant officers, or chief warrant officers. This leaves but 58,000 enlisted people—or roughly 71 percent of Cana-

[6] Sub-Committee on National Defence of the Standing Senate Committee on Foreign Affairs, *Manpower in Canada's Armed Forces* (Ottawa, January 1982), 21.

[7] "Rear-Admiral Boyle's Navy," *Canadian Shipping*, March 1974, 18.

[8] House of Commons, Standing Committee on External Affairs and National Defence, *Defence Estimates 1984/85, Minister's Statement*, (Ottawa, 1984), 49.

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dian forces.[9] In the United States, which itself is not noted for a high combat/support ratio, the officer corps (which includes warrant officers) comprises less than 14 percent of the armed forces. In West Germany it is 6.3 percent.

It could be argued that Canada's excess of officer personnel is merely a carryover from previous times when the forces had more troops or that it provides a valuable nucleus for wartime expansion. But the fact is that the officer corps has grown by 13 percent during the past ten years, and the number of general officers has increased by a whopping 43 percent (from 79 to 113). By contrast, the size of the armed forces is the same today as it was ten years ago. As for a mobilization base, the unhappy fact is that Canada simply has no reserves to mobilize. What these figures do suggest, however, is that the current Canadian armed forces could double or even triple their present size with little additional officer personnel required.

It would also appear that military unification and the integration of the defense establishment with the civil service have been costly, unproductive experiments. As one Canadian analyst wrote recently, "It is the supreme irony of the Canadian defence situation that, literally, the only clear-cut political decision on defence policy any government has made in the past twenty years was on unification of the armed forces—and it has been a disaster."[10]

A more serious problem affecting the efficiency of the armed forces is the "civilianization" of the defense establishment. Under Trudeau the military became less of a fighting force and more oriented toward constabulary functions and public works. This trend was exacerbated by the reorganization of the headquarters of the Department of National Defence (DND) in 1972. That reorganization integrated the civilian and military command structures and elevated the civilian deputy minister to a position in the military hierarchy equal to senior military officer, the chief of the defense staff. Many DND divisions, including the strictly military, came to be headed by civilian assistant deputy ministers, some of whom lacked a service background or training. At best, the integration blurred the traditional military chain-of-command. Civilian leadership emphasized cost-effectiveness and current doctrines in management technique, with a consequent downgrading of combat readiness and military ethos. Worst of all, the reorganization confused the military's traditional role—preparation and training for war—with the labor service functions of civil government. So great, in fact, has been the malaise, that the Canadian Senate's Sub-Committee on National Defence recently recommended that "combat readiness should be re-emphasized as the fundamental criterion for the armed forces."[11]

[9] Treasury Board, *National Defence, 1984–85 Estimates*, Part II, section 16, 14.

[10] Newman, *True North*, 39.

[11] Sub-Committee on National Defence, *Manpower in Canada's Armed Forces*, 36. Also see Colonels J. E. Neelen and L. M. Pederson, "On the Effects of the Restructuring of NDHQ on the Profession of Arms in Canada," *Canadian Defence Quarterly* 4 (Summer 1974): 54; Neelen and Pederson, "The Administrative Structure of the Canadian Armed Forces: Overly-Centralized, Overly-Staff-Ridden," *Canadian Defence Quarterly* 4 (Autumn 1974): 38.

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Military Relevance

Ironically, there is a remarkable upside to the decline of Canada's contribution to NATO these last two decades. By contributing just 3.7 percent of GNP to defense (the NATO average), Canada can become the catalyst for redressing NATO's conventional inferiority and help to eliminate the West's enervating dependence upon nuclear weapons.

The European members of the NATO alliance have come to realize that balanced national forces no longer can be afforded, and many are moving to a de facto division of labor, often with little regard to NATO's overall capabilities. With the resources provided by an increase in Canadian conventional forces, NATO's central authorities could devise an equitable sharing of tasks whereby the alliance for the first time obtains a satsifactory balance of ground, as well as air and naval forces.

NATO does not need balanced forces from Canada. It needs no additional Canadian aircraft. Indeed, the committed Canadian air group actually can be withdrawn from Europe, *doubling* the Canadian contribution to North American air defense. These 54 aircraft as well as some 450 European aircraft (one-third of the continental air forces) can be replaced from the 3000 tactical aircraft the United States does not at present commit to NATO in war. NATO also has no need for additional naval escorts from Canada for sea-lane defense. A similar redeployment of U.S. naval forces not committed to NATO would more than satisfy North Atlantic security requirements, and Canada does not need to contribute to an existing redundancy. In fact, after Canada's catalytic contribution—and the reconfiguration of Belgian, Dutch, and German forces to emphasize high quality army reserve formations—NATO could field as many as twenty-two additional divisions by D-Day-plus-Three in Germany, exclusive of whatever French forces might be available. Such a force would foreclose the need for army reinforcements from North America for the first month of any conflict. Still more reserve formations could be created from the continuous flow of fully trained personnel into the reserves from active duty, but these formations would not be needed in the first months of conflict. Finally, NATO does not need a Canadian nuclear capacity. Canada has been the only country armed with nuclear weapons voluntarily to renounce them, and at present the alliance has a surfeit of such weaponry.

NATO requires two things from Canada: an increased ground presence in place in Germany in peacetime and a significant financial contribution to the alliance infrastructure fund. These amount to a total defense budget of but 3 percent of Canadian GNP. An additional seven-tenths of one percent suggested by the Canadian Senate's Sub-Committee on National Defence is required to improve Canada's polar defenses, reestablish its presence in the Arctic, and revive its depleted militia and reserve units. And of course, Canada's direct financial contribution to NATO would be offset by military purchases from Canadian industry, adding needed jobs and technological infusions to Canada's ailing economy.

Canada's current in-place contribution to NATO's air and land forces consists

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of one understrength brigade group (4056 people) and three fighter squadrons stationed in central front reserve in the vicinity of Lahr on the German-French border. An additional understrength brigade and two fighter squadrons stationed in Canada are assigned a reinforcement role in northern Norway. These dispositions do not contribute significantly to the military equation in Europe, nor do they give to Canadian forces the visibility necessary to inspire public support for NATO. Similarly, because of their piecemeal parcelling, they do not afford Canada a significant voice in the formation of alliance strategy.

Both Canada and NATO would profit from a radical change in the nature of the Canadian commitment. Above all, it would be useful to give Canada a defined corps-area responsibility in the ground defense of West Europe. NATO's corps sectors provide tangible expression of the various national commitments to the common defense; they enhance deterrence by insuring that forces from many nations are directly in the path of a potential aggressor. Such explicit evidence of Canadian involvement would materially enhance the cohesion of the alliance, as well as contribute directly to an improved conventional balance and restore a sense of purpose to Canada's armed forces. For clear military reasons, the corps area in Schleswig-Holstein, West Germany, commends itself. For political and cultural reasons, a Canadian presence in northern Europe is also desirable. Canada's polar affinity with the countries of Scandinavia should be built upon, not disregarded. In the battle for the liberation of Europe in 1944–1945, it was, after all, the Canadian First Army that anchored the northern flank of the allied forces.

The military case for Canada assuming responsibility for the Schleswig-Holstein sector can be quickly stated. The Jutland peninsula in Denmark is strategically a secondary sector, and the terrain is difficult for armor. So long as the Baltic approaches are effectively mined and NATO can preserve air superiority, there are few incentives to draw Soviet operations into the area. The sector is therefore easily defended, given solid support from Denmark's Jutland contingents.

There is no requirement for a NATO counterattack force in Schleswig-Holstein. The constricting marshes southwest of Hamburg that deter offensive armor likewise restrict any allied counterattack. Thus, a modest Canadian effort could hold this area.

Such a transfer of Canadian forces would release two German division-equivalents now in Schleswig-Holstein for enhancement of I German Corps adjacent to the more likely invasion routes to the south.

The troops of the existing Canadian brigade group are to some extent redundant in their present station alongside the French border. The French already have three small armored corps and a high quality light infantry corps uncommitted to NATO in that region, and the additional power supplied by the Canadian brigade (4 CMBG) is unnecessary. Indeed, by removing what is in effect a Canadian buffer, the way would be cleared for earlier French participation in any NATO conflict.

The Canadian air-sea-transportable brigade (CAST) also would be better employed in Schleswig-Holstein. The present CAST commitment to Norway could

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not be fulfilled in sufficient time once conflict erupted and could not be transported beforehand without precipitating the very crisis NATO seeks to avoid. It should be stationed permanently in Schleswig-Holstein.

The First Canadian Air Group (CAG) would be redundant in Schleswig-Holstein. In return for enhanced ground strength, it could be repatriated to Canada. This would double Canada's home-deployed air power, significantly improve its territorial defense capabilities, and enhance Canada's role and visibility in NORAD.

With the CAG brought home and the CAST brigade folded into the new Canadian corps, the additional commitment from Ottawa would amount to one division—not a large force by normal military standards, but enough to trigger a process of realigning NATO's layered deployment of national corps sectors. Canadian assumption of the Schleswig-Holstein sector enables the German Bundeswehr to redeploy two divisional equivalents south of the Elbe. This addition to I German Corps would provide NATO with a small army of six divisions in a key sector on the North German plain. In effect, even without reserve mobilization, NATO would have a corps of three divisions in operational reserve, where it now has no more than one division in operational reserve along the entire front.

Beyond the direct enhancement of NATO's conventional deterrent posture, Canada's contributions could provide the necessary lever for a rationalization of NATO's entire defense effort. The Europeans have the trained personnel for many additional divisions, but they lack the required cadres of commissioned and noncommissioned officers as well as the needed equipment for organizing that personnel into operational units. Cadres for as many as fourteen additional high-quality reserve divisions could be made available eventually through reductions in the air and naval components of the Belgian, Dutch, and German forces.[12] Most of the funds for the needed equipment can be obtained in a similar fashion. Meanwhile, it would be unfair to ask European countries already shouldering their share of the defense burden to do still more while suffering the political and institutional problems inherent in a major reshuffling of their military missions. For all these reasons, Canada's greater contribution appears to be a central element to the crucially needed rationalization of NATO defense as a whole.

Has Canada Hit Bottom?

There is reason to believe that Canada's military backsliding has hit bottom and is on the rebound. Under prodding from Canada's European allies (led by the then West German Chancellor Helmut Schmidt), the proportion of Canadian GNP devoted to defense has risen steadily from its 1979 lowpoint. The number of personnel in the armed forces has also increased. Perhaps most significantly, the percentage of defense expenditures devoted to equipment purchases has risen from the 1972 low of 6.2 percent to more than 20 percent, a figure that is slightly above

[12] See Steven L. Canby and David Greenwood, *Options and Prospects for Alternative Divisions of Labour in NATO* (Potomac, Md.: C & L Associates, 1984).

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the current NATO average.[13] As a result, Canada's armed forces have been able to replace their ancient Centurion tanks with modern German Leopard C-1's, the ageing Starfighters with CF-18's, and the old Argus patrol planes with CP-140 Aurora's.

What is perhaps more significant, prominent groups in Canadian society have joined the embattled bands of veterans' organizations pleading for a greater defense commitment. The Canadian Institute of Strategic Studies and the Centre for International Relations at Queen's University have been particularly instrumental in focusing discussion on Canada's shabby performance. At the official level, the Sub-Committee on National Defence of the Standing Senate on Foreign Affairs has been exceptionally effective in marshalling the details of Canada's plight, assessing the blame openly, and recommending constructive solutions.

In its report on *Canada's Maritime Defence*, the sub-committee acknowledged that Canadian defense expenditures must "inexorably" rise to the range of 3 percent of GNP if Canada is to contribute its fair share to the alliance and maintain a viable defense force.

> Let us be clear: what is sought is not the kind of military strength that will allow Canada to flex its muscles in the world stage. What is sought is the minimum necessary to permit Canada's armed forces to fulfill their peacetime obligations, to satisfy the country's alliance commitments, to meet Canada's current political objectives in Europe and elsewhere and to allow its men and women in uniform to carry out their wartime tasks with some reasonable prospect of success.[14]

Similarly, the Business Council on National Issues, composed of the chief executive officers of Canada's 150 largest corporations, has recently reported that if Canada is to do its share, it must increase defense expenditures by 79 percent (to roughly the NATO average), and expand total military personnel to 145,000.

Above all, the 1984 election in Canada indicates that the pendulum has swung back from the neutralist clamor of the Trudeau years. When the liberal establishment found itself behind in the pre-election opinion polls, it sought refuge in the formula of past victories—peace and nuclear disarmament. Former External Affairs Minister Jean Chretien, a leading contender for the Liberal leadership, and party president Iona Campagnolo broke ranks with NATO to demand an immediate nuclear freeze. And Prime Minister John Turner, who said he supported the freeze privately, appointed one of Canada's most vocal anti-nuclear spokespeople as special Canadian ambassador for disarmament. The landslide Tory victory (211 of 282 seats in Parliament) must be seen, at least partially, as a repudiation of the Liberal position on defense. Throughout the election campaign the Conservatives emphasized their intentions to increase Canadian defense expenditures, repair the rift with the United States, and shore up alliance commitments. Canada's Tory prime minister, Brian Mulroney, explicitly pledged his government to double the

[13] NATO Press Release, M-DPC-2(83)28, 2 December 1983, 6.

[14] Sub-Committee on National Defence, *Canada's Maritime Defense*, 98.

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real increase in the defense budget from 3 to 6 percent annually; restore the distinctive uniforms for the army, navy and air force; and expand the armed forces to 90,000 by 1989. The June 1987 defense white paper (*Challenge and Commitment: A Defence Policy for Canada*) illustrates the decisive reversal of thinking that has occurred in Ottawa. The Soviet threat once again has been accepted as genuine, and alliance solidarity acknowledged as vital to Canadian sovereignty.

The apparent determination of the Mulroney government to restore Canada's conventional defense credibility represents an important step for NATO. It also represents a refreshing change from the whimpering indolence that has characterized Canadian defense policy for the past twenty years. So long as the West remained secure under American nuclear hegemony, there was little incentive for Canada to fret about the territorial defense of West Europe. In fact from a narrow nationalist standpoint there was a strong incentive for Canada to accept a free ride in security matters, relying on the United States to protect its vital interests. But with U.S. strategic dominance a thing of the past, Canada shares with its European allies an obligation to build a viable conventional defense that will not only prevent the automatic escalation of any conflict to a nuclear response, but will also effectively foreclose Soviet sudden attack options and deny the Warsaw Pact the prospect of military success.

It would appear that the link between the effective conventional defense of West Europe and the prevention of nuclear war is being recognized in Canada. According to the most recent report of the Senate's Sub-Committee on National Defence (in an obvious slap at the Trudeau government): "Reducing the risk of nuclear war requires more than intellectual effort. The sub-committee can think of no more practical route to follow in the current circumstances than that of enhancing NATO's conventional strength."[15] Prime Minister Mulroney reflected a similar concern when he told the House of Commons, "You cannot have it both ways. You cannot echo support for NATO and consistently neglect, over a decade and a half, support for our Armed Forces. We cannot continue to flail at the nuclear umbrella and not be prepared to enhance the conventional deterrent."[16]

The point is that Canada is vital to western defense, and its military contribution can make an enormous difference. For Canadians who have matured in the last twenty years, this represents an entirely new way of looking at Canada's role. It shifts the premise of domestic debate. It replaces the hortatory crusades for peace and disarmament with the positive obligation to contribute meaningfully to the avoidance of nuclear war by fashioning an alternative military strategy: the effective defense of West Europe.

NATO's inferiority in conventional forces is not insuperable. In and of itself, an enhanced Canadian contribution would not alter the military balance in Europe. But if Canada were to augment its largely symbolic contribution to the cen-

[15] Ibid., 99.

[16] Canada, *Debates of the House of Commons*, 2d sess. 32nd Parliament, 33 Elizabeth II, vol. II, 9 February 1984, 1,219.

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tral front with sufficient forces to assume a national corps sector and contribute to a central NATO equipment fund, it could provide the incentive and opportunity to restructure the entire deployment of NATO forces. West German units would be freed to concentrate on likely invasion routes; more efficient use could be made of Dutch, Belgian, and British forces; and by substituting under-utilized resources elsewhere, NATO for the first time could generate the army divisions necessary for conventional equality with the East.

Canada is unlikely to move as quickly or as resolutely as may be required. The Mulroney government appears beset by intractable (often trivial) domestic issues which, in Canada's isolated setting, usually take priority over national security issues. Canada's NATO allies can assist by stressing the vital importance, indeed, the catalytic possibilities, of an enhanced Canadian ground presence on the central front. For the fact is, the link between Canada's conventional contribution and the emergence of an effective non-nuclear strategy could prove decisive.

Paradoxically, perhaps, Canadians take seriously their obligation to help prevent a nuclear holocaust. In two world wars they have contributed to allied victory far in excess of their relative national resources. But in neither conflict did they contribute to deterring its outbreak, nor were they effective in the early stages. By revitalizing its defense establishment, by deploying more ground forces in Europe, by upgrading its contribution to the defense of North American airspace, and by invigorating its reserve structure, Canada can materially assist in preventing the outbreak of hostilities in the first place. Perhaps more importantly, by rejecting the role of a security ward of the United States and by standing on its own two feet in defense matters, Canada will secure more firmly its essential independence—as well as the respect and confidence of its allies.

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Entering the Atomic Power Race: Science, Industry, and Government

REBECCA S. LOWEN

On 6 September 1954, a grinning President Dwight D. Eisenhower stood in Denver, Colorado and waved a neutron wand, setting in motion an unmanned steam shovel over 2,000 miles away in Shippingport, Pennsylvania. Thus, in a celebration appropriate to the age of high technology, the ground was broken for the nation's first commercial nuclear power plant. In the words of Lewis Strauss, chairman of the Atomic Energy Commission (AEC), the Shippingport reactor was a "pioneer venture," more significant for America's industrial progress than the first railroad to the West.[1]

This inauguration of the nuclear power industry puzzled a reporter for the *New York Times*. The reactor was being built in a part of Pennsylvania rich in coal, he pointed out, and moreover, Duquesne Light, the utility that would own and operate the plant, actually owned coal mines itself. The reporter deemed these facts significant but did not explore the implications. Today, in light of the questions that have been raised about the safety and economic soundness of nuclear power, the paradox pointed out by the *Times* is worth studying. Why did a nuclear power industry arise in the 1950s, a time when by all accounts conventional fuels were cheap and in virtually limitless supply in the United States?

Little has been written about the origins of the nuclear power industry. The recent literature that does examine the early years (the 1940s and 1950s) points

[1] *New York Times*, 7 September 1954. The terms "nuclear power" and "atomic power" are used interchangeably throughout this article, as has been the practice historically to refer to power derived from the nucleus of the atom.

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to either industry or scientists or both in trying to explain the rapidity with which nuclear power technology was developed. Industry largely takes the blame in Mark Hertsgaard's account, *Nuclear, Inc.*, which charges industry with recognizing a potential for profit, allying with the government, and foisting an untested technology upon the public. Scientists, according to Frank Yanarella, were the culprits. Partly from a belief in the wonders of technology and partly to maintain the lucrative flow of government money to their labs, they forged an atomic-industrial complex with the government and created the myth that nuclear power would be cheap in order to gain public support for their interests. Still others writing about the industry's origins emphasize the primacy of the government's involvement. In a recent book reexamining the nation's nuclear policy, David Lilienthal recalls his years as chairman of the AEC as a time when government officials were anxious "to ease the sense of guilt" over Hiroshima and so promoted the peaceful side of the atom "at a furious pace." The most recent examination of this subject, in *Nuclear America*, extends Lilienthal's observations to the nation as a whole. The horror and guilt over the bombing of Japan led everyone—scientists, the government, the public—to turn to nuclear power with relief, hope, and even excitement.[2]

These explanations, all plausible and not necessarily mutually exclusive, are curiously contradicted by the earliest literature on the subject written in the 1960s and early 1970s when few questioned the wisdom of developing nuclear power. Such scholars as Richard Hewlett, an AEC historian, stress the hesitancy on the part of industry and the "deflating realism" of scientists about the economics of nuclear power to explain why the nuclear power industry took *so long* to emerge![3]

Was industry really slow to show an interest in nuclear power? Or eager to invest in the new technology, as Hertsgaard asserts? Were scientists stifling commercial use of atomic energy, or were they promoting a "technological fix?" And what about government officials? Does the AEC's legislative mandate or a general enthusiasm for the "peaceful atom" adequately explain why nuclear power was developed when it was? Clearly, scientists, business, and the AEC each played a role in the inception of the nuclear power industry, but no study has yet fully examined the attitudes of these various groups during the years in which the nuclear

[2] See Michael Hertsgaard, *Nuclear, Inc.* (New York: Pantheon Books, 1983), 11, 21; Ernest Yanarella, "The Politics of the Peaceful Atom," *Peace and Change* 7 (Spring 1981): 45, 57; David Lilienthal, *Atomic Power: A New Start* (New York: Harper & Row, 1980) 99–104; and Gerald Clarfield and William Wiciek, *Nuclear America: Military and Civilian Nuclear Power in the United States, 1940–1980* (New York: Harper & Row, 1984), 177.

[3] Richard Hewlett, "The Advent of Nuclear Power in the United States, 1945–1968," paper presented at the American Association for the Advancement of Science Conference, Dallas, December 1968, 13. See also Richard Hewlett, "Industry and the Atomic Energy Commission, 1947–1954," paper presented at the Organization of American Historians meeting, Chicago, April 1967; Frank Dawson, *Nuclear Power: Development and Management of a Technology* (Seattle: University of Washington Press, 1976), 4; and Wendy Allen, *Nuclear Reactors for Generating Electricity: U.S. Development from 1946 to 1963* (Santa Monica: Rand Corporation, 1977), vi.

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power industry was born. Nor has any placed the development of nuclear power in the context of the period—the developing cold war and nuclear armaments race with the Soviet Union.

Making use of scientific and trade journals, AEC and National Security Council documents, and the papers and memoirs of AEC officials, presidents, and scientists, this article examines the development of atomic power from August 1945, when the news of Hiroshima brought the idea of atomic energy to the public's consciousness, to 1954, when construction of the Shippingport plant began. In doing so, it will become clear that the development was not tied to the immediate or even foreseeable shortage of conventional fuels. Nor was there much enthusiasm among scientists or in industry for this new technology, which seemed to offer little prospect of economic power.

But, scientists, industry executives, and government officials and politicians believed that atomic energy would *eventually* be developed. AEC chairmen particularly talked about the vast benefits that mankind would reap from the peaceful atom. No decisive action was taken toward actually building commercial atomic power plants, however, until developments abroad—Russia's nuclear achievements and Britain's interest in atomic energy for power—made America's involvement in the field imperative to show the world that it maintained the lead in any technology related to the atom. Thus political motives, not economic or technological imperatives, spurred Congress and President Eisenhower to bring into being a nuclear power industry for which scientists and industry had little enthusiasm.

Technological and Economic Concerns

In the days following Hiroshima, popular magazines and Sunday supplements celebrated the "age of the atom." Energy would soon be "too cheap to meter," and automobiles and airplanes would be powered by atomic pills. Some even predicted the end to poverty and a leap in every country's standard of living once this new source of energy was exploited.[4] This euphoria was not shared by business people and scientists, two groups essential to the development of atomic energy for power. While they saw "no reason to doubt" that atomic energy would one day be harnessed for producing electricity, neither industry nor scientists believed this development was imminent or immediately desirable.[5]

The utility industry, particularly, was "shocked" rather than tantalized by the prospect of atomic energy. For executives, early rumors of cheap electricity raised fears that the public might clamor for reduced electricity rates. The idea that individuals might be able to generate electricity in their homes with "miniature-sized

[4] "What the Atom Can Do for You," *Science Illustrated* 1 (June 1946): 22–7; "Bringing the Atom Down to Earth," *Popular Mechanics* 84 (November 1945): 1–6; and "Nuclear Power: Bombing Out?" *Time*, 13 February 1984, 35.

[5] *Public Utilities Fortnightly* (hereafter referred to as *PUF*) 36 (13 September 1945): 387. The term "scientists" refers to physicists, chemists, and engineers involved or familiar with nuclear matters.

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(atomic) devices" was even more disturbing, because it meant that traditional systems of distributing electricity—the *raison d'etre* of the utility industry—would become obsolete.[6]

Thus, utility executives were relieved by reports from the better-informed members of their industry that atomic power would merely replace conventional fuels and that utility companies would still be needed to generate and distribute electricity. This news did not entirely ease the anxieties of utility people, however. To them it seemed clear that the atom was not just a passing fad, but something they would have to consider every time they faced a decision about expanding their facilities. Would an investment in a conventional power plant be sound, or would the plant become obsolete before its cost could be recovered? Should the industry bother to explore more efficient uses of conventional fuels if atomic energy would soon be replacing them?[7]

To answer such questions, the Association of Edison Illuminating Companies formed a committee in 1946 to assess the atom's importance for the utility industry. Its findings were reassuring: atomic power, although it would eventually be something to reckon with, would not be of much significance to the industry for at least several decades.[8] One of the most significant obstacles to the early development of atomic power, according to the committee, was that contrary to early rumors and popular hopes atomic power would not be cheap. For one thing, uranium-235, the fissionable material being used at the time, was rare and expensive. Moreover, the costs of building and operating a reactor as opposed to a conventional power plant were enormous. Special measures had to be taken to shield the outer portions of the reactor from the fissionable material at its core. Recovery and disposal of radioactive wastes presented another complication and expense. Additionally, workers as well as the public had to be protected from exposure to radiation. In the latter case, this meant that the utilities would have to construct the plant in an area remote from concentrations of people and devise techniques for operating it from a distance.[9]

These technological problems and expenses made atomic energy less than attractive to the industry. But the fact that utilities had enough coal to satisfy their needs "for the next fifteen centuries" was the crucial factor leading them to con-

[6] *PUF* 36 (30 August 1945): 6.

[7] J. C. Parker, "A Utility Man Looks at Atomic Energy," *Edison Electric Institute Bulletin* (hereafter referred to as *EEIB*) 14 (June 1946): 206. See also *PUF* 36 (13 September 1945): 356; and *Electrical World* 124 (27 October, 1945): 94.

[8] See *Hearings before the Special Committee on Atomic Energy*, U.S. Senate, 79th Congress, 2nd sess., 18-19 February 1946, 431-40. The committee was composed of representatives from Consolidated Edison of New York, Commonwealth Edison of Chicago, Philadelphia Electric Co., Detroit Edison Co., and American Gas and Electric Service Corp.

[9] See J.C. Parker's statement on behalf of the Association of Edison Illuminating Companies before the Special Senate Committee on Atomic Energy, 431-40. See also Parker, "A Utility Man"; and Harry A. Winne, "Some Engineering and Political Aspects of Atomic Energy," in *EEIB* 14 (June 1946): 205-8 and 217-21.

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clude that atomic energy could "not be used economically in this country."[10] Lacking the prospect of profit or a need for a new source of fuel the industry concluded, not unhappily, that the development and widespread use of atomic energy would "occur very gradually."[11]

In the absence of an immediate interest in atomic energy, the industry's spokesmen were able to "completely endorse" the 1946 Atomic Energy Act (also known as the McMahon Act), which gave a government commission ownership of all fissionable materials and atomic reactors and authority over all atomic research and development.[12] One might expect businessmen to oppose vigorously this "virtual monopoly," which so clearly violated the ethic of private enterprise.[13] But given the utilities' attitude toward atomic energy, their position made sense. As explained by a trade journal editorial, the MacMahon Act "holds no terror" for industry.[14] Suspension of free enterprise in this field signified a sacrifice business would have to make in the dangerous age of the atom, when the "misuse" of fissionable materials presented a possibility "too ghastly to be contemplated."[15] But more importantly, government control insured that the day when industry had to plan seriously for atomic power would be delayed. Atomic power would eventually become an important source of energy; until then industry would let the government bear the costs of research and development.[16]

Although utilities were not interested in developing atomic power during these years, they did not plan to ignore the atom entirely. Trade journals warned executives to maintain a close watch on the government's actions with respect to atomic power, lest the government try to usurp private utilities' business in this field, as it had with federally-financed hydroelectric plants. Fearing the eventual "socialization of the electric power industry,"[17] utility executives were prepared to be vigilant, and as soon as atomic power became a feasible alternative to coal, to make sure the government did not try to prevent them from developing it.[18]

Scientists and engineers did not share the utility industry's anxiety about atomic power, but they did agree that a host of technological problems stood in the way of producing economical electricity from fissioned atoms.[19] Most scientists, how-

[10] Parker, "A Utility Man," 205.

[11] *Industry and Power* 52 (May 1947): 91. See also Winne, "Some Engineering and Political Aspects," 221.

[12] See the Association of Edison Illuminating Co.'s statement to the Senate Committee on Atomic Energy, 436. For the provisions of the 1946 Atomic Energy Act, see Richard Hewlett, "Nuclear Power in the Public Interest," paper presented at the American Historical Association Conference, Dallas, December 1977, 5–7.

[13] See comments by J.C. Parker, of Consolidated Edison Co., in the *Bulletin of the Atomic Scientists* (hereafter referred to as *BAS*) 1 (15 March 1946): 12.

[14] *Electrical World* 127 (18 January 1947): 133.

[15] *BAS* 1 (15 March, 1946): 13.

[16] *Electrical World* 127 (18 January 1947): 133.

[17] *Electrical World* 124 (10 November 1945): 129.

[18] *PUF* 36 (13 September 1945): 353; and *Electrical World* 126 (9 November 1946): 90.

[19] Farrington Daniels, "Atomic Power Production," *BAS* 1 (15 March, 1946): 13–4. See also *Scientific American* 174 (February 1946): 74–76.

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ever, spent little time in pondering how to solve these difficulties or in promoting atomic power. Those who had been involved in the Manhattan Project (the code name for the organized development of the A-bomb) quietly and in many cases eagerly returned to universities or to industry to carry on the work that they had abandoned during the war.[20]

There were a few exceptions. Nobel laureate Ernest Lawrence, father of the cyclotron and director of the Berkeley lab, agreed with Arthur H. Compton, a Nobel Prize-winning physicist from the government-sponsored lab in Chicago, about the desirability of immediately developing atomic energy as a source of power. Neither was thinking in terms of the advantages to be gained from electricity produced by atomic fission; rather they were concerned with developing an industry that could quickly be converted in the case of war to producing bombs.[21] They failed to excite anyone in industry with the idea, however. General Electric, the contractor operating the plutonium plants in Hanford, Washington, told Compton it was "not optimistic" about the development of an atomic power industry. Union Electric "regretfully" informed him that it felt atomic power would not be a "wise investment."[22]

Other scientists besides Compton and Lawrence also expressed interest in atomic energy. Chemist Glenn Seaborg, winner of the Nobel Prize for his discovery of plutonium, promoted nuclear power to Congress as a revolutionary energy source that would dramatically improve the world.[23] Most of those speaking optimistically about atomic energy to Congress in 1946 were not concerned with developing atomic power for its own sake, however, but with stirring enthusiasm for legislation granting civilian rather than military control over the atom. These advocates of atomic energy were former Manhattan Project scientists familiar with the rigidity of military supervision and fearful that its perpetuation would seriously endanger scientific freedom. As one prominent atomic physicist explained to the Senate Committee on Atomic Energy, the atom had numerous peacetime applications that might never be brought to the service of mankind if scientists' research was controlled by the military.[24]

[20] Daniel Ford, *Cult of the Atom: The Secret Papers of the Atomic Energy Commission* (New York: Simon & Schuster, 1982), 33–34. See also *Scientific American* 181 (July 1949): 42. The "greatest single problem" of the AEC, according to this article, was attracting scientists. It went on to list prominent scientists, including Harold Urey, Leo Szilard, Willard Libby, and Enrico Fermi who returned to pure science or applications of atomic science not related to atomic power.

[21] Arthur H. Compton to Ernest O. Lawrence, 11 July 1947, E.O. Lawrence papers, Bancroft Library, University of California at Berkeley.

[22] Compton to Lawrence, 11 July 1947.

[23] See Ford, *Cult of the Atom*, 22–4.

[24] See comments of Alvin Weinberg of Clinton Lab in Alice K. Smith, *A Peril and A Hope* (Chicago: University of Chicago Press, 1965), 267. J. Robert Oppenheimer expressed similar views when emphasizing the need for international control of the atom; see *BAS* 1 (1 June 1946): 2. For scientists' objections to military control, see *BAS* 1 (1 February 1946); and Smith, *A Peril and A Hope*, 99–102, and chap. 3.

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But while some scientists stressed the benefits to be gained from atomic energy to insure freedom for their research, those speaking about atomic energy in terms of its economic and technological feasibility were often more pessimistic than industry about the possibility of the early development of atomic reactors. As early as 1944, some scientists at the government-financed lab in Chicago assessed the possible peacetime applications of the atom in "A Prospectus on Nucleonics" and concluded that developing atomic power to produce electricity would not be particularly lucrative. Large-scale atomic power plants in fact would probably never be developed, wrote Zay Jeffries, a scientist from General Electric and author of the report, because they would be extremely expensive to build and operate and would use up the little uranium that was available.[25]

Not all assessments of the feasibility of atomic power were this pessimistic, but most scientists and engineers in these early years did agree that it would be many years before the serious technological problems blocking the development of atomic power for commercial use would be solved. This was the sentiment of the group of prominent scientists headed by J. Robert Oppenheimer and including Isidor Rabi and Enrico Fermi, which advised the AEC. Drafting a statement in July 1947 about the time scale for developing atomic power, the scientists reiterated all the obstacles preventing the early production of economical power from the atom—scarcity of uranium, problems of finding suitable construction materials, and most important, the priority of using all available uranium for weapons.

The report struck one hopeful note: reactors might someday be economical producers of power if they could be designed to "breed," or produce more fissionable material than they consumed. Development of such a reactor might take years, however, and "decades will elapse," wrote Oppenheimer and Rabi, before enough fuel was accumulated to "supplement in a significant way the present power resources."[26] The scientists' assessment struck the Atomic Energy Commission "like a sledge hammer."[27] The devastating impact of the news was poignantly recorded by David Lilienthal, chairman of the AEC: "I can't believe it's true," he wrote in his journal that day.[28] The scientists' objective in writing the report had been to end unrealistic expectations about atomic power "to avoid public blame of the Commission" for failure to develop atomic power immediately.[29] But the AEC's commissioners and particularly Lilienthal had personal as well as political reasons

[25] See "A Prospectus on Nucleonics" reprinted in Smith, *A Peril and A Hope*, 539–559. Other scientists involved in drafting the report with Jeffries were Enrico Fermi, James Franck, Robert Stone, Charles Thomas (of Monsanto), and Robert Milliken.

[26] See Oppenheimer's and Rabi's draft report and the General Advisory Committee's discussion in Minutes of the General Advisory Committee, 5th meeting, 28–29 July 1947, Department of Energy Archives, Secretariat Collection, box no. 1217. Other scientists on the committee were James B. Conant, Lee DuBridge, Hartley Rowe, Glenn T. Seaborg, Cyril Smith, and Hood Worthington.

[27] Richard Hewlett and Francis Duncan, *Atomic Shield: A History of the U.S. Atomic Energy Commission, 1947–52* (University Park: Pennsylvania State University Press, 1969), 100.

[28] David Lilienthal, *The Atomic Energy Years, 1945–50* (New York: Harper & Row, 1969), 229.

[29] See General Advisory Committee Minutes, 7th Meeting, 21–23 November 1947, 17.

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for refusing to accept the scientists' estimates or to end speculations about the possibilities of atomic energy for power.

Although the AEC's first concern in 1947 was building up a stockpile of atomic weapons, the Atomic Energy Act also charged the commission with developing the peaceful atom. For the commissioners, who found the military side of their job a grim responsibility, it was difficult to abandon the idea of promoting the peaceful uses of atomic power.[30] Lilienthal's journal reveals how disquieting participating in the development of atomic weapons was for him. He suffered "acute and shocking pain," he confided, whenever he considered "how horrible the world would be [if] my handiwork [were] turned loose." If only the atom could be used for peaceful purposes to show that the mushroom "cloud had indeed a lining of silver."[31] Of the possible peaceful applications, atomic energy as a source of power held special attraction for him; as the former director of the Tennessee Valley Authority (TVA), he felt strongly that abundant power supplies could transform any economically-backward area.[32]

But while Lilienthal firmly believed in the benefits to be gained from developing atomic energy, in 1947 he also had political reasons for clinging to the idea of atomic power. Hysteria about the bomb was enveloping the American people, he believed, causing them to lose hope that America and Russia would peaceably settle their differences. The idea of atomic energy, Lilienthal hoped, would fire people's imaginations, give the public something to think about besides the bomb, and distract a jittery Congress from trying to institute what Lilienthal regarded as ridiculously stringent security regulations over AEC scientists and personnel.[33]

Lilienthal also worried that if the scientists' statement were released Congress would accuse him of trying to stifle industry's interest in developing atomic energy to insure that the government maintained its monopoly. His anxiety was not unfounded. During his confirmation hearings he had weathered abuse from Senator Kenneth McKellar of Tennessee, a staunch enemy of TVA, who insinuated that as AEC chairman Lilienthal would create an "atomic TVA."[34] How could he prove to Congress that he really desired industry's involvement in atomic developments, Lilienthal worried, if there appeared to be no compelling economic reason for industry to use atomic energy instead of conventional fuels? And how could he keep the military from trying to regain authority over the atom? Only hours before the scientists gave the AEC their negative assessment of atomic power in July,

[30] Commissioner Lewis Strauss also expressed concern that such a "pessimistic" statement would make it difficult for the commission to obtain the public funds it needed to operate. See General Advisory Committee Minutes, 7th meeting, 21–23 November 1947, 17.

[31] Lilienthal, *Atomic Energy Years*, 276, 127.

[32] See Lilienthal's comments to the Joint Committee on Atomic Energy in *BAS* 3 (February 1947): 44–7.

[33] Lilienthal, *Atomic Energy Years*, 160, 203.

[34] For a summary of the confirmation hearings, see Hewlett and Duncan, *Atomic Shield,* chap. 1. For Lilienthal's reaction to the hearings, see *Atomic Energy Years*, 132–57, 245–6.

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the Joint Chiefs of Staff, in a meeting with President Harry Truman, had made a strong push for reestablishing military authority over fissionable materials.[35]

These anxieties about the reactions of the military, the Congress, and the public, as well as the commissioners' reluctance to believe that atomic power was not a promising peaceful application of the atom, prompted Lilienthal to ask the scientists to reevaluate their position to see if the prospects couldn't be made to appear less grim.[36] At the same time Lilienthal began promoting the idea of atomic energy to industry. In a series of speeches, beginning with one before the Detroit Economic Club in October 1947, Lilienthal admitted that commercial power plants were "NOT just around the corner." But in words that belied the tone of the scientists' report, he added, "This does not mean that within the next twelve to twenty-four months, useful electric power could not be actually developed from a nuclear reactor."[37] To meet the goal, however, industry executives had to realize that "atomic energy is *your* business," and become active in the field. If they didn't Lilienthal warned, the government might always monopolize the atom, its application, and the profits it promised.[38]

Despite Lilienthal's promotion of atomic power, little headway was made in the late 1940s in stimulating interest in the prospect. The utilities had been told that atomic power was their business, but they concentrated instead on developing more efficient methods of producing electricity from coal, deeming atomic power to be an idea that was "not terribly exciting."[39] Philip Sporn, president of American Gas and Electric Service Corporation, did ask the AEC for permission to assess the feasibility of producing power from the atom, but after gaining access to the pertinent classified information, he concluded as others already had that atomic power was not an economical investment and thus not particularly enticing.[40] Some scientists at the Argonne lab in Chicago and at General Electric's Schenectady lab did express interest in developing the breeder reactor, the design Oppenheimer's

[35] Lilienthal, *Atomic Energy Years*, 229–30. See also Hewlett and Duncan, *Atomic Shield*, 99–101.

[36] Lilienthal, *Atomic Energy Years*, 229. See also General Advisory Committee Minutes, 7th meeting, 21–23 November 1947. The time estimate in the November report was based on an assumed availability of enough U-235 to permit development of a simpler reactor than the breeder variety. Thus the scientists were able to be slightly more optimistic in their conclusion that atomic energy would not replace any of the country's present power supplies "before the expiration of twenty years."

[37] Lilienthal, "Atomic Energy and American Industry," speech before the Detroit Economic Club, reprinted in *BAS* 3 (November 1947): 339–40.

[38] Lilienthal, "Atomic Energy and American Industry," 340 and "Atomic Energy is *Your* Business," speech given in Crawfordsville, Indiana, reprinted in *BAS* 3 (November 1947): 335–38.

[39] Hewlett, "Industry and the Atomic Energy Commission, 1947–1954," 8–10. According to "The Atom and the Businessman," *Fortune*, January 1949, 55, "It might be thought that businesses were fleeing to the commission's banners" but actually "few are doing any such thing."

[40] "The Atom Up to Date," *Electrical West* 100 (May 1948): 63–7. See also the report of Sporn's group, "Prospects in Industrial Applications of Atomic Energy," reprinted in *BAS* 7 (November 1951): 332–36. Sporn soon lost interest in atomic power and focused instead on developing the Philo plant, a coal-powered plant that operated at a higher temperature and pressure—and produced more electricity—than any conventional plant had before.

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committee had indicated might one day produce economical power. The AEC quickly seized upon this interest, and Lawrence Hafstad, the director of the AEC's reactor development program, authorized research and development of breeders at both labs in early 1949.[41]

The AEC was not indiscriminately enthusiastic about atomic power, though. On a visit to the Berkeley lab in 1946, the commissioners had been told by Lawrence that it was technologically possible to construct immediately a very simple reactor that would produce power. The commissioners did not pursue the matter, though, realizing that such a reactor offered no prospect of economically feasible power. Immediate development of a reactor was less important in the AEC's view than developing a reactor that would eventually have a useful place in the economy.[42]

More than the AEC's long-term goals and industry's lack of interest were working against the early development of atomic power. Military considerations and the President's and Congress's concentration on the destructive side of the atom insured that few would pay much attention to the peaceful atom in the late 1940s. An examination of the AEC's budget for 1949 illustrates the extent to which military needs were given priority. Of the $632 million dollars in the budget, over two-thirds was designated for building plutonium plants, acquiring and producing fissionable materials, and developing weapons. The reactor development program received a mere three-tenths of one percent ($1.8 million) of AEC funds, and except for the two breeders, the reactor program focused on military projects—developing a reactor for a submarine and more efficient plants for producing plutonium.[43]

These budget priorities might have been changed had either Truman or the Congress believed an effort of the dimensions of the Manhattan Project should be launched to develop the peaceful atom. But in the late 1940s, with the Red scare beginning at home and the cold war in full swing, few besides Lilienthal considered giving more attention to developing atomic power plants. Occasionally Truman expressed with surprising fervency a hope that the AEC would "work hard" at the "peaceful things" and "make the world better through atomic energy." However, he never promoted a full-scale effort to develop atomic power, believing that until some arms agreement was reached with the Soviets the United States had no choice but to devote energy and money to the atom's military side.[44]

Congress shared this attitude about the importance of stockpiling weapons. In

[41] Hewlett and Duncan, *Atomic Shield*, 217–8.

[42] See Lilienthal, *Atomic Energy Years*, 108; and Lewis Strauss, *Men and Decisions*, (New York: Doubleday, 1962), 320. Regarding the long-range goals of the AEC scientists, see General Advisory Committee Minutes, 7th meeting, 21–23 November 1947.

[43] From *Major Activities in the Atomic Energy Programs*, 18th Report of the Atomic Energy Commission to the Congress, January 1955, 175.

[44] For accounts of such remarks, see Lilienthal, *Atomic Energy Years*, 342, 474. See also Dean Acheson, "Memorandum of Conversation with the President," 16 February 1950, Acheson papers, Harry S. Truman Library, Independence, Missouri; and Harry S. Truman, *Memoirs: Years of Hope* (New York: Doubleday, 1956), 306, 313.

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ELECTRONIC REPRODUCTION PROHIBITED

fact, "only a handful of members," according to House Speaker Sam Rayburn, even realized that "atomic energy was anything but a bomb."[45] One of these members was Brien McMahon, chairman of the Joint Committee on Atomic Energy. Soon to become known as "Mr. Atom" for his political opportunism with respect to anything atomic, McMahon was less interested in the peaceful atom in 1949 than in achieving more influence for his committee over AEC affairs and in gaining access to closely guarded information about the size of America's stockpile.[46]

McMahon's proposal to release information about the number of atomic weapons created a furor in Congress. The suggestion particularly upset rabid anti-Communists like Senators Joseph McCarthy and John Bricker, who argued that any relaxation of security would endanger the nation and only aid Russia in developing its own atomic bomb. A rumor that four grams of U-235 had been stolen from one of the AEC's labs further excited and alarmed some in Congress, and encouraged Senator Bourke Hickenlooper of the Joint Committee to call for an investigation of the AEC in the summer of 1949 on charges of mismanagement.[47]

Under these circumstances the peaceful atom did not attract much attention. Thus a parsimonious House Appropriations Committee, looking for ways to cut expenditures on federal programs in 1949, proposed reducing the nonmilitary portion of the AEC's budget.[48] Despite Lilienthal's effort to convince it that the reactor program was "of equal importance to the weapons program," the committee lopped $76 million from the AEC's proposed 1950 budget.[49]

Political Considerations

Into this atmosphere of limited interest in the atom except as a weapon burst the news in September 1949 that Russia had exploded an atomic device. This was the first of several developments outside the United States that began to stir interest in, and impart a sense of urgency to, the development of atomic power for electricity. Initially, however, the news pushed the development of practical nuclear power even further into the future as everyone focused on the military side of the atom. Congress immediately restored all the AEC's funding, but the money was not used to expand the reactor development program. The only thought was to

[45] Quoted by Lilienthal in *Atomic Energy Years*, 144.

[46] "Washington Notes," *BAS* 5 (May 1949): 159–63. See also Harold Green and Alan Rosenthal, *Government of the Atom: The Integration of Powers* (New York: Atherton Press, 1963), 5–6. According to Green, in 1949, when McMahon regained the chairmanship of the committee, the committee's role "changed markedly. Though it continued to function as a watchdog . . . it also assumed vigorous leadership in the national atomic-energy program." The most obvious example of McMahon's efforts to control the AEC was his success in arranging the appointment of his former law partner, Gordon Dean, to the chairmanship of the AEC in the summer of 1949. See Hewlett and Duncan, *Atomic Shield*, 443.

[47] "Washington Notes," *BAS* 5 (June/July 1949): 218.

[48] Ibid.

[49] Lilienthal, *Atomic Energy Years*, 508; "Washington Notes," *BAS*, 218.

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produce more bombs, and the AEC reorientated its reactor program to make construction of more plutonium-producing plants its first priority. General Electric, which had been experiencing difficulties with its work on the breeder reactor, agreed to abandon this project to concentrate on plutonium reactors and a reactor for a submarine.[50]

The AEC's almost exclusive concentration on weapons, coupled with Truman's decision to order development of the H-bomb, upset Lilienthal. For him the peaceful atom was more important than ever for the psychological relief it would provide the nation, which had just committed itself to building the most devastating weapon imaginable.[51] The atom had to be cleansed, and Lilienthal looked for help in industry as he had in 1947. In a series of articles for *Collier's* in the summer of 1950, he called on the government to "free the atom" and amend the Atomic Energy Act to encourage industry to develop atomic power. If industry were permitted to own the patents on any discoveries it made, as well as any facilities it might build, it might show less reluctance to commit itself to atomic power, Lilienthal hoped.[52] Business did not respond to the suggestion to revise the 1946 act. When the Joint Committee surveyed the opinions of leading utility companies and manufacturers in December 1953, industry made clear that expense, rather than the law, was discouraging it from developing atomic power.[53]

The one exception to this general lack of interest was Charles Thomas of Monsanto. In June 1950, he approached the AEC about developing a reactor that would produce weapons-grade plutonium for the government and electricity for the utility companies. The government's need for plutonium at as low a cost as possible, and not an interest in the electricity on the part of utilities, prompted Thomas's proposal for the dual-purpose reactor.[54] Lawrence Hafstad of the reactor development program welcomed the idea, and after extensive study the AEC staff concluded that such a reactor might actually make the production of electricity from atomic power economical. But Congress was already complaining about the size of the AEC's budget; if development of the dual-purpose reactor were to be pursued, industry, not the AEC, would have to take the initiative, Hafstad declared.[55]

[50] See Carleton Shugg, deputy general manager, AEC, to Harry Winne, 9 November 1949, Department of Energy Archives, Energy History Collection. According to Winne of General Electric in order to "implement the present thinking of the AEC as to the importance of military development," the company's reactor project was being redesigned as "a prototype for a naval ship." *General Electric Review* 53 (July 1950): 11.

[51] Lilienthal, *The Venturesome Years: 1950–55* (New York: Harper & Row, 1969), 4.

[52] Lilienthal, "Free the Atom," *Collier's*, 17 June 1950, 13–15ff, and "Toward the Industrial Atomic Future," *Collier's* 15 July 1950, 14–15ff.

[53] U.S. Congress, *Atomic Power and Private Enterprise*, Joint Committee on Atomic Energy, 82nd Congress, 2nd sess., December 1952, 31, 42, 54.

[54] Charles Allen Thomas to Sumner Pike, acting chairman of AEC, 20 June, 1950, Department of Energy Archives, Secretariat Collection, box no. 1228, Industrial Applications folder. See also Hewett and Duncan, *Atomic Shield*, 437–8.

[55] Lawrence Hafstad, "Reactors," *Scientific American* 184 (April 1951): 43–50. See also Hewlett and Duncan, *Atomic Shield*, 437–8, 494–5.

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ELECTRONIC REPRODUCTION PROHIBITED

The AEC was prepared to help, though, by improving industry's access to information about the atom. Thus in January 1951 the AEC established an industrial participation program. All interested companies would be given access to classified data to allow them to study different reactor designs and make proposals for developing a power plant. Industry's response was not heartening; the AEC launched the program with only five utility companies and three manufacturers participating.[56]

Clearly, Thomas's enthusiasm did not represent the attitude of business as a whole. Even the companies that did join the study program produced mixed conclusions about the feasibility of atomic power and stimulated only mild interest within the larger utility industry. For the first time, utility trade journals announced in late 1952 that atomic power might be worth investing in. But they also warned utilities to remain "cautious" since the companies' studies were based on the economics of dual-purpose plants.[57] Dual-purpose plants, they pointed out, posed a dilemma for utilities; they required an indirect government subsidy. By selling plutonium to the government, the utilities could offset the costs of constructing a plant and the losses from switching from a cheap fuel like coal to uranium, but this arrangement would make the industry dependent on the government.[58]

The notion of a subsidy clearly violated cherished principles about private enterprise. But the utilities' main objection was that they felt unsure that the government could be counted on as a steady customer. Unless the government guaranteed it would purchase a specific amount of plutonium each year at an agreed-upon price, dual-purpose plants would not be safe investments.[59] Thus, although the Dow-Detroit Edison team decided to continue its investigation of atomic power plants under the AEC's industrial participation program, the rest of the industry preferred to avoid risk and to continue waiting, as it had since 1946, for atomic power to become economical through technological breakthroughs or because a shortage of conventional fuels made it so.[60]

But industry would not be able to remain aloof from the development of atomic power for long. While Russia's achievement of the A-bomb in 1949 had turned the attention of the AEC and scientists to the military side of the atom, it stimulated for the first time congressional interest in the development of an atomic power plant. Congress was not concerned with cleansing the atom, as was Lilienthal. Rather, the fact that Russia had built an atomic bomb sooner than anyone had

[56] Hewlett, "Nuclear Power in the Public Interest," 18. The utility companies and manufacturing interests formed four study teams: Detroit Edison-Dow Chemical, Union Electric-Monsanto, Pacific Gas and Electric-Bechtel, and Northern Illinois Public Service Co-General Electric.

[57] *Electrical World* 137 (5 May 1952): 78.

[58] For a summary and analysis of the study groups' reports, see *Electrical World* 137 (5 May 1952) and 138 (14 July 1952): 118. The actual reports were printed in *Electrical World* 139 (15 June 1953), 114–18 and 139 (29 June 1953): 82–7.

[59] See U.S. Congress, *Atomic Power and Private Enterprise*, 1952, 44–6.

[60] "Atomic Power and Private Enterprise: A Summary of the Joint Committee Report," *BAS* 9 (May 1953): 138.

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predicted, while the United States could claim no similar scientific breakthrough since the war, alarmed some in Congress. "In two and a half years," complained the Joint Committee, the United States still had not "broken ground on a single new-type high power reactor."[61] Senator Hickenlooper blamed the AEC for "insufficient boldness";[62] Lilienthal in defense argued that restrictions on information about the atom and a lack of interest among businessmen and scientists were the problems. While hundreds of nuclear scientists were graduating each year from college in Russia, schools in the United States were simply not turning out scientists and engineers in sufficient numbers to allow much technological progress.[63] To close this engineer gap and to try to stimulate an interest in the atom, the AEC decided to open a training school at its Oak Ridge facility and encourage industry to send its engineers. It also began publishing *Nuclear Science Abstracts* in July 1950 to disseminate declassified information about the atom and it was hoped to stimulate some enthusiasm for nuclear science in the business and technical worlds.

As the AEC proceeded with this educational effort and launched its industrial participation program in 1951, Congress's impatience for an atomic power plant mounted. As early as July 1950, Lilienthal had warned of the humiliating prospect that the Russians might "beat us at developing the peaceful side of the atom."[64] By late 1951, Congress was also aware that Canada had built and was successfully operating an atomic power plant and that in a matter of months Britain would have a working atomic power plant at Harwell.[65]

These developments, as well as Russia's explosion of two more atomic devices in October and the United States's seeming lack of progress on the H-bomb, confirmed the Joint Committee's feeling that America was not keeping pace technologically with the rest of the world. Although the committee was somewhat mollified by the announcement in the fall of 1951 that a prototype of a breeder reactor had been built and was working, it still complained that the "technical people" at the AEC lacked a "sense of urgency." The AEC needed to get to work, not because the Joint Committee was concerned that the benefits that atomic power offered were being unduly delayed, but so that "never again" could it "be truthfully said that the reactor of the most advanced design and performance operates anywhere but in the United States."[66]

Some scientists also began to complain that progress in developing atomic power was not proceeding as rapidly as it could be. In letters to Truman and Gordon

[61] Quoted in U.S. Congress, *Development and Control of Atomic Energy,* Senate Report no. 1041, 82nd Congress, 1st sess., 19 October 1951.

[62] See the Joint Committee report as quoted in *BAS* 5 (December 1949): 325.

[63] See Lilienthal, "Toward the Industrial Atomic Future," *Collier's*, 15 July 1950, 14–15; and Lawrence Hafstad, "Reactor Program of the Atomic Energy Commission," *BAS* 7 (April 1951): 113.

[64] Lilienthal, "Toward the Industrial Atomic Future," 14–15ff.

[65] In late 1951, magazines began reporting on development of reactors abroad. See *Time*, 26 November 1951, 31; *Scientific American* 185 (December 1951): 30–2; *Industry and Power* 62 (February 1952): 99.

[66] U.S. Congress, *Development and Control of Atomic Energy*, 4.

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Dean, chairman of the AEC since July 1950, Nobel laureate chemist Harold Urey described the AEC as having been unduly "conservative" in developing "atomic energy for power purposes."[67] Accusations such as Urey's, and especially the Joint Committee's impatience for a nuclear power plant as a symbol rather than a useful source of power, put the AEC and its scientists on the defensive. In an interview published in the *Bulletin of the Atomic Scientists* in September 1952, Hafstad agreed that progress on power reactors could be described as "slow," but only if one disregarded the fact that the United States had no compelling reason to develop atomic power quickly since it had a virtually limitless supply of coal. Scientists at the AEC, he explained, were merely being "realistic" and looking for a reactor design that would reduce "nearly to zero the present high costs" of producing electricity from the atom.[68]

But explaining the delay could not appease Congress, which desired quick construction of a reactor. Thus the AEC once again appealed to industry to expand its talent and resources to develop atomic power. In a series of speeches in 1952, Commissioner T. K. Glennan insisted despite Hafstad's reservations that within five to ten years atomic power would be economical. He added, however, that this would be true only in areas where conventional fuel costs were high. Businesses, Glennan warned, ought to "start doing their share in developing atomic energy" and "quit depending on the government to do it." Then, like Lilienthal in 1947, Glennan raised the spectre of a permanent government monopoly over this potentially profitable enterprise if the power companies continued to eschew involvement in developing atomic energy.[69]

By the end of 1952 this threat finally carried weight with industry. Now Congress was showing an interest in atomic power, and some were suggesting that the subsidy problem posed by the dual-purpose reactor could be avoided if the government instead of industry operated the plants and sold the electricity to utility companies.[70] With the development of atomic power appearing imminent, the utility industry's fear that the government might cut into its business was reawakened. Thus some utilities in December 1952 told Congress that they might be willing to commit themselves to atomic power to the extent of contributing ten to fifteen million dollars to help develop and build a reactor. Given the recognition by all that the first reactor would likely cost fifty to one hundred million dollars, industry was clearly not indicating that it now believed that atomic power was a good investment or that it was committing itself to it wholeheartedly. As the Joint Committee noted, the power industry was merely signaling to the government that

[67] Harold C. Urey to President Truman, 2 June 1952, Urey papers, University of California at San Diego.

[68] See interview with Hafstad, September 1953, reprinted in *BAS* 8 (November 1952): 283–6. See also Hafstad's assessment of reactor progress and goals of his program in *BAS* 7 (April 1951): 109–14.

[69] See reports of Glennan's speeches in *Electrical World* 137 (28 January 1952); 137 (9 June 1952); and 128 (1 December 1952).

[70] *Electrical World*, 138 (29 September 1952): 34–5.

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it felt "a responsibility to develop atomic power," to defend "its own future role in the economy" and in "any subsequent practical applications" of atomic energy.[71]

Despite this weak commitment on the part of industry and the preference of the AEC's scientists and engineers for continuing to work on a reactor promising economic power, the Joint Committee did not relent. Concerned with Britain's progress on a power reactor and with Russia's advances in atomic science, the committee declared in mid-1953 that the United States must "consider entering what we choose to term the atomic power race."[72] As Representative Sterling Cole explained, it was "urgent" that the United States seize the lead in the development of nuclear power in order to show not only that it was devoted to promoting peace, but also to lead the world and particularly the USSR in "industrial might" and in the "creativeness of our scientists." Cole also employed anti-Soviet rhetoric, declaring that the United States had a "responsibility" to develop atomic power to demonstrate to the world that "America continues to lead the way to a decent standard of living, today, tomorrow, and always, for us and our friends."[73]

To spur the development of atomic power, the Joint Committee believed that the 1946 Act had to be revised. Thus the committee informed Dean, the AEC chairman, that it intended to hold hearings on the matter in the summer of 1953 and requested that he present the committee with the AEC's assessment of atomic power's economic feasibility. Dean knew that atomic power was no more commercially viable than it had been two years previously, but he also believed that it would never become so unless the government's monopoly was broken.[74] Thus he proposed that the government encourage industry to develop atomic power plants. Presenting his views to the National Security Council (NSC) in March 1953, Dean urged Eisenhower to make "the attainment of economically competitive nuclear power a goal of national importance." The AEC should subsidize a prototype and encourage industry to build it. To further illustrate a commitment to private development, the government should revise the Atomic Energy Act to make it possible for industry to buy or lease uranium and to own and operate reactors.[75]

None at the NSC meeting held any illusions that atomic power at this time could produce electricity competitive with that produced by coal, oil, or water. Both Defense Secretary Charles E. Wilson and Treasury Secretary George Humphrey in

[71] "Atomic Power and Private Enterprise," *BAS* 9 (May 1953): 138. See also U.S. Congress, *Atomic Power and Private Enterprise*, 1952, 36–7.

[72] U.S. Congress, *Atomic Power and Private Enterprise,* Hearings before the Joint Committee on Atomic Energy, 83rd Congress, 1st sess., 1953, 2.

[73] U.S. Congress, *Atomic Power and Private Enterprise*, 1953, 2–4.

[74] Gordon Dean, *Report On the Atom* (New York: Knopf, 1957), 167–73; and Green, *Government of the Atom*, 122–3, 252. According to the 1946 Act, Congress could consider revisions to permit private industry to develop atomic power when the AEC had determined that atomic power had become economically feasible.

[75] See U.S National Security Council 145, "Development of Practical Nuclear Power," 4 March 1953, 2; and NSC memorandum in which NSC 145 is discussed, 12 March 1953, 2, both at Eisenhower Library, Abilene, Kansas.

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fact argued that subsidizing industry in order to develop atomic power might be "pushing things too fast." Dulles emphasized, and Dean and Eisenhower agreed, however, that "it would look very bad if the United States lagged behind" other countries in developing nuclear power plants.[76] Dean's proposal appealed to Eisenhower for another reason, too. Like Lilienthal, Eisenhower worried about the "fearful effect" of the bomb on the public.[77] Nuclear power would be one way of cleansing the image of the atom. Eisenhower was concerned about federal expenditures, however; thus he rejected the suggestion of a subsidy, arguing that the AEC should wait to see if industry would be willing to cover the entire expense itself.[78]

The desire to divert the public and to promote an image of the United States as more peaceful and advanced than Russia was given unexpected impetus in August 1953, when it appeared that Russia had exploded a thermonuclear device. Envisioning a future that seemed to promise a never-ending armaments race, Eisenhower announced in December of that year his Atoms for Peace plan. The United States and Russia should both begin reducing their stockpiles, Eisenhower proposed, and contribute the fissionable material to an international agency, which would distribute it to countries desirous of building power plants.[79]

The United States would also abandon construction of a prototype power reactor and proceed directly to build a full-scale plant instead. Economically-produced power was not the goal. This plant would be a "symbol" of a "peaceful and purposeful" America. It would "tell America and the world a very considerable story about the size and strength of our atomic capabilities," Eisenhower wrote in his diary. But it would do so in a nonthreatening way, and at the same time would "generate free world respect and support" for American foreign policy.[80]

Nuclear power held more than just symbolic value by 1954, however; both Eisenhower and the members of the NSC recognized that it might be the key to gaining influence over nonaligned countries as well. According to the NSC, underdeveloped countries tended to view nuclear power as "a panacea for basic economic ills." Russia was developing an atomic power plant and might try to use it as a "political and psychological" tool to "gain the allegiance" of Pakistan, Burma, and India, countries comprising "a critical sector in the cold war struggle."[81] Im-

[76] NSC memorandum, 12 March 1953, 2–4.

[77] See Lilienthal's account of Eisenhower's comments at a meeting of the Joint Chiefs, *Atomic Energy Years*, 580. See also Eisenhower's account of his interest in the peaceful atom in *Mandate for Change, 1953–56* (New York: Doubleday, 1963), 251–2.

[78] NSC memorandum, 12 March 1953, 2–4.

[79] See Eisenhower, *Mandate for Change*, 252–4. See also Jack M. Holl (Department of Energy historian), "Eisenhower's Peaceful Atomic Diplomacy: Atoms for Peace in the Public Interest," paper presented at American Historical Association meeting, December 1977.

[80] U.S. National Security Council 5507/2, "Peaceful Uses of Atomic Energy," 12 March 1955, declassified documents, Stanford University, 2. See also Robert H. Ferrell, ed., *The Eisenhower Diaries* (New York: Norton, 1981), 262.

[81] NSC, "Peaceful Uses of Atomic Energy," 5, 10.

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mediate construction of a full-scale power plant in America was thus imperative, according to the NSC, to thwart Russia's plans to be first and also to make credible the United States's offer of advice and assistance to other countries interested in building power plants.[82]

The government's enthusiasm for a large-scale power plant in 1954 did not spread to scientists or industry. Immediate construction meant that the first reactor would not be a breeder or one of the other designs deemed by experts to be the only ones likely to produce electricity that was economically competitive with coal. To construct a reactor quickly, a simple design was needed, one that was unlikely to pose many unforeseen construction or operating problems.[83] The logical choice was the pressurized water reactor (PWR), already developed on a smaller scale for a submarine.[84] Those scientists and engineers hoping that effort would be directed towards developing an economical reactor were disapointed, complaining that the initials PWR really stood for "Power Without Reason."[85]

Industry too demonstrated little eagerness for the first reactor. Philip Sporn, president of American Gas and Electric Service Corporation of New York, described it as "a retrogression in power production technology," claiming that it would "operate on a cycle and with an efficiency discarded in conventional plants twenty-five to thirty years ago."[86] Even the Atomic Industrial Forum, a group formed in December 1953 to promote the development of nuclear power by private industry, felt compelled to instill "a sense of caution" among utility companies and to warn them that the day when atomic power would be a sound investment had not yet arrived.[87]

But despite the "unpleasant" truth that atomic energy still was not economical, industry could no longer afford to ignore it. The government in keeping with its earlier plans had announced it would accept industry's offers to build and operate the proposed reactor. Moreover, Congress was in the midst of considering a bill to end the government's monopoly and permit industry to participate more directly in developing atomic power. Since 1945 the utility industry had been telling both Congress and the AEC that when full-scale power plants became feasible, industry, not the government, should construct and operate them. Thus, the industry was in a quandary. Should a company offer to fund the first reactor, knowing that it would take a financial loss, to demonstrate that utilities were serious about preventing the government from encroaching upon the power business?[88]

No utility company proposed to commit any of its own funds to the project. This posed a problem for Eisenhower and Lewis Strauss, presidential adviser as well as new chairman of the AEC. Strauss particularly was a committed anti-New

[82] Ibid., 1, 14, 16.
[83] *Electrical World* 141 (19 April 1954): 106.
[84] Hertsgaard, *Nuclear, Inc.*, 27.
[85] *Electrical World* 141 (19 April 1954): 109.
[86] Ibid., 142 (13 December 1954): 94.
[87] Ibid., 140 (28 December 1953): 89 and 142 (11 October 1954): 32.
[88] Ibid., 140 (21 December 1953): 10.

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Dealer and felt his reputation as well as his beliefs were at stake in this matter. As he wrote a few years later to the president of General Electric, he had to demonstrate that "private capital" would commit itself to atomic power, or else both he and his effort to "head off" "public ownership" were "sunk."[89]

Finally, after the AEC issued a second invitation to industry in the spring of 1954 and Strauss cajoled companies with the idea that they would be serving the nation's interest, Duquesne Light of Pennsylvania agreed to contribute fifteen million dollars and to operate the plant, which was predicted to cost sixty million and would be built in Shippingport, Pennsylvania.[90] This decision by Duquesne Light did not prevent Congress from becoming embroiled in a heated public versus private power debate over the proposed 1954 Atomic Energy Act, as Strauss and the utilities had hoped it might.[91] The Shippingport plant, moreover, proved a disappointment to the utility industry, which noted in 1956 that the electricity it produced would cost 52 mills/kwh, a "far cry from the 7 to 9 mills/kwh level most nuclear power talk had considered critical" to make nuclear power competitive with coal.[92] Developers of reactors such as General Electric also hesitated to plunge deeply into nuclear power. While General Electric accepted contracts with both Pacific Gas and Electric and with Commonwealth Edison of Chicago, by 1957 General Electric President Ralph Cordiner told Strauss that his company had been a victim of "overoptimism" and that he was "no longer interested" in taking on any new orders for reactors.[93]

Thus in the late 1950s, industry was no more eager to invest in atomic power than it had been ten years earlier. Even though the 1954 Atomic Energy Act opened the way for industry to own and operate reactors and to retain patent rights, high costs were still a formidable barrier, as was the discovery that it was impossible to get insurance coverage for reactors because of their "astronomical" costs and potential safety hazards.[94]

This was a serious problem, but so was the possibility now that the Democrats controlled both the Congress and the Joint Committee that utilities would be unable to "contain and impede" the drift "toward more federal participation" unless they committed themselves to developing atomic power.[95] But while some

[89] Lewis L. Strauss, Memorandum for the Files," 2 February 1957, Strauss papers, Herbert Hoover Library, West Branch, Iowa.

[90] Duquesne's decision to invest in a nuclear power plant surprised everyone, according to *Electrical World* 140 (14 December 1953): 118 and 141 (7 June 1954): 10. According to Strauss, Duquesne was the only company he could find to invest in the reactor. The company's president, Philip Fleger, was "entirely aware . . . that the first private money invested" in nuclear power "would eventually appear to have been improvidently spent," but "was willing to make such an investment in the national interest." See Strauss, *Men and Decisions*, 322 and "Nuclear Power," Notes, p. 174, Strauss papers.

[91] See Hewlett, "Nuclear Power in the Public Interest."

[92] *Industry and Power* 70 (March 1956): 6.

[93] Strauss, "Memorandum for the Files," 13 February 1957.

[94] *Electrical World* 142 (4 October 1954): 61; *Industry and Power* 69 (November 1955); 64.

[95] *Electrical World* 148 (30 December 1957): 55 and 150 (29 December 1958). The Democrats gained control of the Congress in 1954 and of Congress and the Joint Committee in 1956.

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Democrats like Senator Albert Gore and Representative Chet Holfield clearly supported federal, as opposed to private, construction and ownership of reactors, the goal of Democrats and Republicans alike in the 1950s was to speed the development of atomic power.[96] Thus, in 1957 Congress passed a bill sponsored by two Democrats to facilitate industry's investment in atomic power. The Price-Anderson Act limited total liability in case of a reactor accident to $560 million, of which the government would underwrite $500 million. Industry was made liable only for the first $60 million.[97]

Implications for the Future of Nuclear Energy

This action is representative of the relationship that was to develop between the government and the power industry with respect to nuclear power. Clearly, in the 1940s and 1950s utility companies were not trying to forge an alliance with the government. To them atomic power promised no immediate "bonanza," but only technological and financial headaches. The industry was wary of investing in atomic power; it was not entirely unwilling to do so, however, as the hesitant commitment of a few in the mid-1950s reveals. This involvement stemmed largely from a desire to keep government out of the power industry, a fear made real by the seeming willingness with which the government funded hydroelectric plants. But the industry's attentiveness to the issue of atomic power arose from a widely shared belief that atomic power *ultimately* would be and ought to be developed.

This belief, engendered by the oratory after Hiroshima about the peaceful side of the atom, was shared by most scientists. Although those working for the AEC had no illusions that reactors would quickly be developed or would eventually replace other sources of power, they demonstrated their commitment to atomic power with the seriousness with which they approached its development. Atomic power did not promise a technological solution to the world's problems in scientists' views, but it did offer a supplementary source of power in areas where conventional fuels were scarce. Thus scientists focused not on a reactor design, which promised the shortest development and construction time, but on one which would produce electricity economically, safely, and without competing with the needs of the government's weapons program.

This long-term approach was fine in the late 1940s, when there was no pressing need for immediate development of atomic power plants. But as Russia and other countries made progress in atomic science and technology, atomic power gained significance as a symbol of industrial might and technological achievement. And as tensions between the United States and Russia heightened in the 1950s, America

[96] In 1957, two Democrats—Holifield and Gore—proposed a bill directing the AEC to spend $400,000,000 to construct six full-scale reactors. It passed the Senate but was watered down and defeated in the House. See Green, *Government of the Atom*, 256–8.

[97] Hertsgaard points out that the government estimated that the actual costs from an accident would be close to $7 billion.

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entered the atomic power race to beat the Russians in achieving a working power reactor and so gain the respect and allegiance of the western and nonaligned nations.

The National Security Council, as well as Congress, wanted atomic power in 1954 for the image of peace and progress it conveyed, not for the power it would produce. Their political considerations, and not an industry in search of profits, nor scientists thrilled by high technology, explain the emergence of the nuclear power industry in the 1950s. Committed to developing atomic power for its symbolic value and to its development by private industry, Eisenhower and Strauss forged the alliance between government, science, and industry in 1954 with the construction of the Shippingport plant. Congress strengthened the link with subsidies and legislation to make investment more palatable. Scientists and industry, hoping that atomic power would one day be safe and economical, participated reluctantly.

Within ten years industry's attitude toward nuclear power had changed. Although Presidents John F. Kennedy and Lyndon B. Johnson accorded the space program more symbolic importance and budgetary attention than they did the nuclear power industry, favorable sentiment for the development of the technology prevailed in Congress and with the general public. Not unimportant in keeping interest alive was Glenn Seaborg, long-time nuclear power enthusiast and now chairman of the AEC. And the two manufacturers – General Electric and Westinghouse – that had built reactors for use in foreign countries, were seeking new buyers. Their aggressive marketing (offering reactors at a substantial loss to lure utilities into the nuclear power business) convinced New Jersey Power and Light in 1963 that nuclear power would actually produce electricity at slightly lower cost than a coal-fired plant. Nuclear power now appeared economical; thus began what has been dubbed the "bandwagon rush" by utilities to invest in reactors.[98]

The belief that nuclear power would make economic sense proved wrong, as any reader of the newspaper is well aware. If economics alone were to determine the fate of the industry, its demise might be predicted. But, as is clear from the history of the industry's origins, ideology, politics, and the convictions of a few influential men, and not technological and economic factors, will play the largest role in determining the future of nuclear power.

[98] George T. Mazuzan and J. Samuel Walker, "Developing Nuclear Power in an Age of Energy Abundance, 1946–1962," *Materials and Society* 7 (1983): 315; and John F. Hogerton, "The Arrival of Nuclear Power," *Scientific American* 218 (February 1968): 21. No study adequately explains the change in utilities' attitudes. Suggestive are Hertsgaard's *Nuclear, Inc.,* which emphasizes the role of the reactor manufacturers. Hogerton mentions as important the apparent economic soundness of nuclear power and the public concern over environmental pollution in the early 1960s which encouraged utilities to seek alternatives to coal-fired plants.

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SDI and the Dynamics of Strategic Uncertainty

ROBERT H. GROMOLL

Debate surrounding the Strategic Defense Initiative (SDI) manifests considerable discord among SDI's supporters over what form ballistic missile defenses (BMD) can and should take.[1] Some envision defenses that are so effective that the basis for strategic interaction would shift from deterrence to denial, making nuclear weapons "impotent and obsolete."[2] Defenses in this case would

[1] See, for example, the remarks of Norman Augustine, William A. Davis, Jr., John S. Foster, Richard L. Garwin, Colin S. Gray, and Glenn A. Kent in "Reactions and Perspectives: Nine Personal Views" in Ashton B. Carter and David N. Schwartz, eds., *Ballistic Missile Defense* (Washington, D.C.: Brookings Institution, 1984); John C. Toomay, "The Case for Ballistic Missile Defense," *Daedalus* 114 (Summer 1985): 219–238; Daniel O. Graham, *High Frontier: A New National Strategy* (New York: Tor Books, 1983); Bernard Gwertzman, "Minimum Goals Set on Space Weapons," *New York Times*, 21 February 1985; Fred Charles Ikle, "Nuclear Strategy: Can There Be A Happy Ending?" *Foreign Affairs* 63 (Spring 1985): 824–825; The Unclassified Versions of the Defensive Technologies Panel chaired by James Fletcher and the Future Security Strategy Study chaired by Fred Hoffman, U.S. Senate, Hearings before the Committee on Foreign Relations, *Strategic Defense and Anti-Satellite Weapons*, 98th Congress, 2nd sess., 25 April 1984, 94–175; *People Protection Act* H.R. 3073, 98th Congress, 1st sess., "Congressional Findings"; and statements by Dr. Charles Townes, cited in *New York Times*, 11 April 1983; U.S. Congress, Office of Technology Assessment, *Directed Energy Missile Defense in Space: Background Paper*, April 1984, 65–78; and Leon Sloss, "The Strategist's Perspective" in Carter and Schwartz, *Ballistic Missile Defense*, 24–48.

[2] President Ronald Reagan, "Address to the Nation," *Weekly Compilation of Presidential Documents*, Monday, 28 March 1983, 423–466; see also the President's remarks before the National Space

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be so impenetrable that the United States and the Soviet Union would eventually foreswear efforts to penetrate them and opt instead for radical arms reductions. Ostensibly, some Reagan administration officials, the President included, are in this category.[3]

But the bulk of the defense and scientific communities is not sanguine about BMD's ability to reduce significantly the costs the Soviet Union could inflict by attacking American cities and associated targets.[4] Research on likely space-based BMD components—such as beam generators, beam control mechanisms, and battle-management systems—increasingly suggests that possibilities for comprehensive, near-perfect defenses are "so remote that [they] should not serve as a basis of public expectation or national policy."[5]

Many analysts, therefore, counsel that noncomprehensive, imperfect defenses are still desirable. Such partial coverage would in their view lend protection to otherwise increasingly vulnerable land-based retaliatory forces and command, control, and communication systems (C^3). This, they contend, would generate sufficient uncertainty in Soviet strategic planners' minds to make preemptive counterforce strikes seem too risky. By defending against Soviet attacks designed to degrade

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Club, 27 March 1985, cited in U.S. Congress, Office of Technology Assessment, *Ballistic Missile Defense Technologies*, OTA-ISC-254 (Washington, D.C.: U.S. Government Printing Office, September 1985), 298; and Remarks by Secretary of Defense Casper Weinberger, on *Meet the Press*, 27 March 1983, ABC News, 6 June 1985, and in U.S. Senate, Hearings before the Committee on Armed Services, *Department of Defense Appropriations, FY 1985*, pt. 1, 2nd sess., 1 February 1984, 89; George Schultz, "New Realities and New Ways of Thinking," *Foreign Affairs* 63 (Spring 1985): 709; Donald Brennan, "BMD Policy Issues for the Eighties" in *United States Strategic Nuclear Policy and Ballistic Missile Defense: The 1980's and Beyond* (Washington, D.C.: Institute for Foreign Policy Analysis, 1980); and Robert Jastrow, *How to Make Nuclear Weapons Obsolete* (Boston: Little, Brown, 1985).

[3] For similar perspectives on SDI as an impetus to radical arms reductions, see Admiral James D. Watkins, Chief of Naval Operations, in Remarks to the Los Angeles Rotary, 4 January 1985: "If we can convince the Soviets that ballistic missiles will no longer have great value, chances for a down-turn in arms proliferation even in this century are enhanced." And the President's chief science advisor, George Keyworth, in a speech before the Armed Forces Communications and Electronics Association, 13 October 1983: "If I were a Soviet planner, I would quickly put two and two together and realize that important targeting technology for an ABM system was well in hand. . . . Such a demonstration would pressure the Soviets to take our arms reductions proposals much more seriously." See too the President's remarks in his address to the Nation, "Peace and National Security," 23 March 1983, in U.S. Department of State, *Department of State Bulletin*, vol. 83, no. 2073 (Washington, D.C.: U.S. Government Printing Office, 1983), 13–14; Graham, *High Frontier*, 61–62; and General James Abrahamson's testimony, U.S. Senate, Hearings, *DOD Authorization for Appropriations, FY 1985* pt. 6, 98th Cong. 2nd sess., 3049.

[4] Charles L. Glaser, "Do We Want the Missile Defense We Can Build?" *International Security* 10 (Summer 1985): 25.

[5] Office of Technology Assessment, *Directed Energy Missile Defense in Space*, 66–67; see also, Jeffrey Boutwell and Richard Scribner, "The Strategic Defense Initiative: Some Arms Control Implications," a paper prepared for the Congressional Seminar on the Short-Term Implications of the Strategic Defense Initiative, 21 February 1985, sponsored by the Committee on Science, Arms Control and National Security of the American Association for the Advancement of Science, 7; and James P. Wade, Deputy Under Secretary of Defense for Research and Engineering, "Defense Against Ballistic Missiles," *Defense*, May 1984, 40.

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the retaliatory capability that the United States could apply in western Europe's defense, or by defending against other limited Soviet strikes aimed at eroding American resolve to suffer more extensively on Europe's behalf, limited BMD are expected to make extended deterrence more credible. They could persuade Moscow that the United States possesses both the appropriate nuclear forces to defend its allies and the will to use them.[6]

Given these purported advantages of BMD, the paramount issue in the near-term is whether the benefits that strategic defenses could afford would justify taking the risks that even a limited defensive transition would entail. This article shows that adding a defensive dimension to the strategic environment would carry with it potentially dangerous negative externalities that make the wisdom of a defensive transition highly suspect. More specifically, a defensive dimension would radically alter the number and types of possible strategic interactions that could occur. This, in turn, would generate some potential for greater strategic stability than that currently possible without BMD; but it would also multiply the number of destabilizing possibilities that could occur. Moreover, since BMD could not be tested under even remotely realistic conditions, profound ambiguity would exist over which of these more numerous strategic possibilities actually obtains—making it easier for political and military leaders to misread strategic conditions and act according to faulty assumptions. Elevated uncertainty, therefore, would very likely increase the incidence of both unwarranted optimism and unwarranted pessimism in strategic assessments.[7] The heightened ambiguity over relative offensive and defensive capabilities would also make defining, calibrating, and adjusting these capabilities exponentially more difficult, which means that arms control could suffer disasterously. Paradoxically, many who extol the virtues of strategic uncertainty acknowledge that arms control might be necessary for a stable defensive transition.

Finally, and most important, it is unrealistic to assume, as many who support SDI evidently do, that a defensive transition would be permanent. Offensive and defensive dynamics under unregulated competition would in the long run promote successive offensive and defensive transitions as new technologies in these dimensions gain and lose preeminence. Multiple transitions of this sort are clearly not what most SDI enthusiasts have in mind, but they should be expected as a natural byproduct of BMD deployments.

[6] See the remarks of Richard DeLauer, former Under Secretary of Defense for Research, Development, and Engineering in *Government Executive*, July-August 1983, 17; Albert Gore, Jr., "Reassess the Focus of Star Wars," *New York Times*, 4 June 1985; *The President's Strategic Defense Initiative, A White House Document*, January, 1985; Donald Snow, *The Nuclear Future: Toward A Strategy of Uncertainty* (University: University of Alabama Press, 1983); U.S. Senate, *Strategic Defense and Anti-satellite Weapons*, 125–140. Secretary Weinberger, while also an advocate of comprehensive near-perfect coverage, also falls into this category. See "Weinberger Softens Insistence On a Leak-Proof ABM System," *Washington Post*, 12 April 1983; and *Aviation Week and Space Technology*, 24 October 1983.

[7] Richard Ned Lebow, *Between Peace and War: The Nature of International Crises* (Baltimore: Johns Hopkins University Press, 1981), 276.

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Prospects of Perfection

Although much debate over BMD centers on questions of technical feasibility, the key issue is not whether defenses can ever be built, but whether they would work despite an adversary's determined efforts to defeat them. On this point two basic views have evolved, one emphasizing cost-effectiveness, the other affordability. The difference is significant, since cost-effectiveness is a technical criterion for efficiency and affordability is largely a political criterion for resolve. Paul Nitze, the Reagan administration's chief arms control adviser, has said that defensive technologies must produce systems that are both survivable and cost-effective at the margin; that is, additional defensive capability must be cheap enough to insure that Moscow has no incentives to deploy additional increments of offensive capability to overcome it.[8] According to Nitze, if new technologies cannot meet these standards, BMD should not be deployed.[9]

Countering this view, the Strategic Defense Initiative Organization (SDIO) and the Department of Defense maintain that affordability is the more appropriate deployment criterion, because the stakes in these matters are so high. By this reasoning, defenses that are not cost-effective would make sense as long as the United States could afford them. As Under Secretary of Defense Fred Ikle explained, even if a defense costs 10 percent or 100 percent more than an offense, "that should not be decisive"; more important is whether the United States could stay ahead of the Soviets by sustaining such inefficiencies indefinitely.[10]

Both of these views, however, must ultimately contend with the issue of effectiveness, and it is here that notions of perfect and even near-perfect comprehensive defenses run into trouble. Effectiveness would depend in large measure on the ability of defenses to withstand direct attacks. A chief problem for instance would be protecting space-based defenses and associated early-warning satellites from antisatellite weapons (ASATs) and, in some cases, even rival space-based BMD, since these would be more effective against space platforms in predictable orbits than against missiles and warheads launched in variable trajectories.[11]

[8] Paul Nitze, Special Adviser to the President and Secretary of State for Arms Reductions Negotiations in remarks before the Philadelphia World Affairs Council, 20 February 1985. Some administration officials, like Fred Ikle, take issue with Nitze's stringent criteria, explaining that "cost effectiveness should not be decisive." On this controversy, see Bill Keller, "Pentagon Aide Calls Antimissile Plan Central to Military Outlook," *New York Times*, 22 February 1985; and U.S. House of Representatives, Hearings of the Committee on Appropriations for *Defense Appropriations for 1986*, pt. 7, 99th Cong., 1st sess., 7 May 1985, *Strategic Defense Initiative*, 716.

[9] Ibid. Gerald Yonas, Chief Scientist at the SDIO actually joined Nitze on this point at the MITRE Corporation's National Security Issues Symposium on 6 October 1984. "I would," he said, "be the first to say that the system should not be pursued without a favorable cost ratio. . . . I'm admitting that not to proceed is an acceptable answer if that is dictated by the facts."

[10] Quoted in Robert C. Toth, "Standards for 'Star Wars' Modified," *Los Angeles Times*, 18 April 1985.

[11] Ashton B. Carter, "The Relationship of ASAT and BMD Systems," *Daedalus* 114 (Spring 1985): 185–186; Office of Technology Assessment, *Directed Energy Missile Defense in Space*, 45–52, 82; *Financial Times*, 28 February 1985; Hans A. Bethe and Richard L. Garwin, "New BMD Technologies,"

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Aside from ASATs and rival weapons of their own genre, BMD would also have to cope with a host of offensive countermeasures. The "threat cloud" of offensive decoys alone could present defenses with as many as a half-million objects to identify and sort within five minutes, possibly in as little time as sixty seconds.[12] Other countermeasures also would be possible. Missiles and reentry vehicles could be fitted with outer skins and coatings that reflect, disperse, or absorb laser-generated heat. Missile and warhead trajectories could be flattened to reduce warning time. Maneuverable reentry vehicles could frustrate accurate calculations of trajectories and impact points.[13] Warheads could be fused to detonate upon impact with non-nuclear defensive projectiles, thus enabling them to damage vital defensive radars and sensors with atmospheric or exo-atmospheric blasts.[14] Finally, no foreseeable means are available to protect completely against cruise missiles and bombers, which would almost certainly be deployed in greater compensating numbers as defenses begin to downgrade the penetrating capabilities of intercontinental ballistic missiles (ICBMs) and submarine-launched ballistic missiles (SLBMs).[15]

Bombers and cruise missiles notwithstanding, BMD costing perhaps as much as a trillion dollars would still leak; and because nuclear weapons are concerned, even minimal leakage could mean widespread catastrophe.[16] Assuming, for example, that defenses were very good and could destroy as many as 90 percent of one-thousand incoming Soviet warheads, the surviving warheads would still be enough to obliterate the two most populous or heavily industrialized cities in each U.S. state. Near-perfect comprehensive defenses, therefore, even if achievable, would emancipate neither side from the threat of Assured Destruction (AD). Unfathomably expensive defenses that approach, if not surpass, the limits of affordability would still leave Assured Destruction undisturbed as a "technological fact."[17]

Figure 1 applies the popular "window of vulnerability" analogy to illustrate

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Daedalus 114 (Summer 1985): 360–361; Paul Stares, *The Militarization of Space: U.S. Policy, 1945–1984* (Ithaca, N.Y.: Cornell University Press, 1985), 248; and General Abrahamson's Testimony in U.S. House of Representatives, Hearings, *Department of Defense Appropriations for FY 1986*, pt. 7, 99th Cong., 1st sess., 718; see also Paul Stares, "U.S. and Soviet Military Space Programs: A Comparative Assessment," *Daedalus* 114 (Spring 1985): 142–144.

[12] *The Economist*, 13 April 1985; see also Union of Concerned Scientists, *The Fallacy of Star Wars* (New York: Vintage Books, 1984), 146; Richard DeLauer, *People Protection Act*, 20; and Jonathan Stein, *H-Bomb to Star Wars* (Lexington, Mass.: Lexington Books, 1984); Stephen Weiner, "Systems and Technology" in Carter and Schwartz, *Ballistic Missile Defense*, 49–97; Ashton Carter, "BMD Applications: Performance and Limitations" in ibid., 105–109.

[13] Jonathan Stein, "Point Defense," *Arms Control Today* 14 (November 1984): 2–3; Weiner, "Systems and Technology," 59–63; and Carter, "Relationship of ASAT and BMD Systems," 106.

[14] Weiner, "Systems and Technology," 59, 64–65.

[15] James R. Schlesinger, "Rhetoric and Realities in the Star Wars Debate," *International Security* 10 (Summer 1985): 5.

[16] R. Jeffrey Smith, "Schlesinger Attacks Star Wars Plan," *Science*, 9 November 1984, 673; Boutwell and Scribner, "Strategic Defense Initiative," 2.

[17] Office of Technology Assessment, *Directed Energy Missile Defense*, 81.

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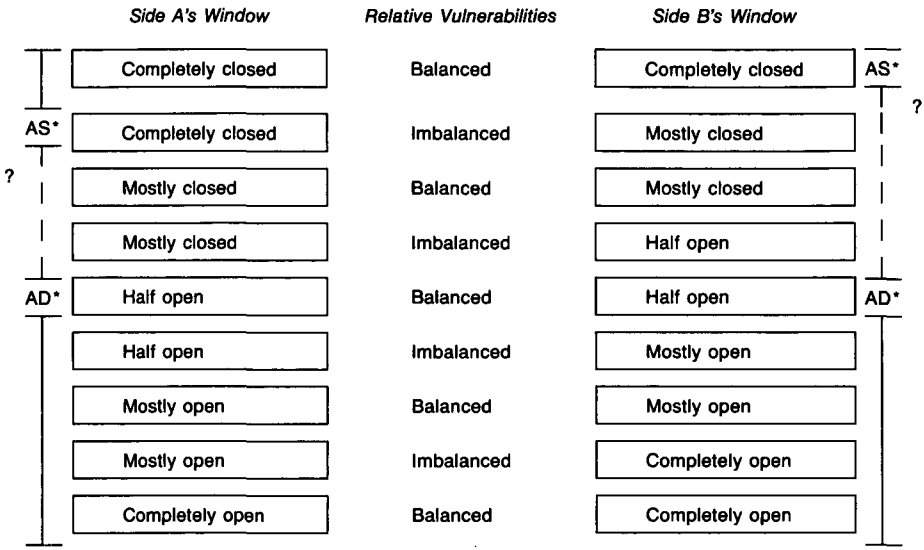
FIGURE I

Windows of Vulnerability Under Comprehensive Defenses



*AD = Assured Destruction
*AS = Assured Survival

the different levels of protection that comprehensive defenses could theoretically afford. The diagram shows that threats of Mutual Assured Destruction (MAD) would persist throughout almost the entire range of strategic possibilities, although this would be less obvious where the "windows" are mostly closed and levels of protection fall into the gray areas between Assured Destruction and Assured Survival (AS) (represented in the diagram as broken segments along the vertical AD-AS line). Leaders' perceptions and their tolerances for ambiguity when they find themselves in these gray areas would become an increasingly important consideration, since no one could be certain whether Assured Destruction or Assured Survival applies. The line between complete safety and total catastrophe in such cases, however, would probably be too fine for rational leaders to perceive themselves as having much additional latitude for threat and maneuver. In most conceivable circumstances, since so few penetrating warheads could be so devastating, the threat of MAD would remain sufficiently unambiguous and continue to exert a stabilizing influence.

Limited, Imperfect Defenses

Given the inevitable weaknesses of BMD, many analysts have concluded that seeking perfect or even near-perfect comprehensive defenses would be too ambitious, and

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that a more modest system designed to protect key strategic assets and perhaps to provide a light population defense would be more realistic. The object of the more modest system would not be to replace deterrence with defense, but to supplement deterrence by protecting U.S. nuclear options and making threats to implement them appear more credible.[18]

Two related problems are at issue here. The first has to do with reducing Soviet incentives for a first strike. Limited, imperfect BMD might be used in effect to de-MIRV (multiple independently targetable reentry vehicle) Soviet missiles through attrition, raising the prospect that Moscow would have too few warheads both to penetrate U.S. defenses and significantly damage key U.S. installations.[19] Even if Moscow were "warhead wealthy" because of accelerated offensive programs, the greater number of warheads it would need in order to wear down and pierce U.S. defenses would make American leaders unsure if something other than an all-out Soviet attack were underway and thereby bolster deterrence by making U.S. retaliation more likely.

Proponents of this approach—limited defenses for the protection of key military assets—tend, however, to discount the likelihood that Soviet counterforce strikes would fail even in the absence of an American defensive effort. Successful counterforce strikes, of course, are plausible, but associated imponderables should give military planners scant confidence that they would go according to plan. Timing and coordination would be difficult and missile accuracies could be degraded for any number of reasons. For example, trajectories could be incorrectly calculated; guidance components and reentry systems could turn out to be faulty; and incoming warheads could be deflected or damaged by local weather or, more probably, by winds, dust, and debris blown up from earlier nuclear explosions.[20] Much could go wrong; and if too much does go wrong the victim could actually emerge from the exchange better armed than the attacker, whose offense by that time would be severely depleted by an unsuccessful effort.[21] Finally, the United States could launch while under attack or use residual sea-based weapons to inflict population and industrial destruction that would be commensurate with the collateral damage caused by the Soviet Union's counterforce strike.[22]

Considerable strategic uncertainty, therefore, already exists without defenses, yet those who advocate BMD worry that it is not enough. They maintain that limited, imperfect defenses would be of significant further use in denying Soviet

[18] Gerold Yonas, cited in the *Los Angeles Times*, 28 May 1985; *Defense and Foreign Affairs Daily*, 8 May 1985.

[19] Office of Technology Assessment, *Directed Energy Missile Defense in Space*, 73.

[20] This argument is well-developed in John D. Steinbruner and Thomas M. Garwin, "Strategic Vulnerability: The Balance Between Prudence and Paranoia," *International Security* 1 (Summer 1976): 168–169.

[21] Ibid. See also Albert Carnesdale and Charles Glaser, "ICBM Vulnerability: The Cures are Worse than the Disease," *International Security* 7 (Summer 1982): 70–85.

[22] Richard L. Garwin, "Launch Under Attack to Redress Minuteman Vulnerability?" *International Security* 4 (Winter 1979/80): 117–139.

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military planners confidence in attack outcomes.[23] According to a White House document on SDI, for example,

> Effective defenses . . . could significantly increase an aggressor's uncertainties regarding whether his weapons would penetrate the defense and destroy our missiles and other military targets. . . . [Thus lacking confidence in his ability to succeed, an aggressor would] be much less likely to contemplate initiating a nuclear conflict even under crisis circumstances.[24]

The second problem associated with limited, imperfect defenses has to do with extended deterrence. The tremendous growth of the Soviet Union's modern, accurate ballistic missile force—its counterforce component especially—threatens the United States's ability to retaliate in a militarily effective way in the wake of a preemptive Soviet strategic attack that augurs imminent war in Europe. It also threatens U.S. ability to issue credible first-strike threats in response to Soviet conventional or tactical nuclear aggression in the European theater.[25] Many analysts, therefore, now feel that American strategic options are too limited and that as long as the "bulk of American population could be deliberately or incidentally killed" by Soviet retaliation, no American president could credibly threaten nuclear first use on Europe's behalf.[26]

Limited, imperfect BMD, many argue, would help to solve this credibility problem. With BMD, they contend, the Soviets would be much less certain of their ability to mount successful counterforce or limited population strikes. They would have to launch more substantial attacks, consisting perhaps of several thousand warheads, to compensate for this additional uncertainty. Soviet leaders then ought to be dissuaded from such an undertaking because American retaliation would be far more credible after a Soviet attack of several thousand warheads than after an attack of only a few.[27] Likewise, with limited protection of their population, American leaders might also be more willing to use tactical or theater nuclear weapons in Europe to arrest a major Soviet advance.[28] Most important, the argument goes, Soviet planners would be more likely to think that the United States has more freedom of maneuver than it actually does.[29] U.S. capabilities in that respect need not necessarily be credible—only "not incredible."[30]

[23] U.S. Senate, *Strategic Defense and Anti-Satellite Weapons*, 125–140.

[24] *The President's SDI*, A White House Document, January 1985.

[25] The Strategic Defense Initiative Organization, *Report to the Congress on the Strategic Defense Initiative*, 1985, A6–7.

[26] Herman Kahn, *Thinking about the Unthinkable in the 1980s* (New York: Simon and Schuster, 1984), 141; Ikle, "Nuclear Strategy," 820.

[27] David Yost, "Ballistic Missile Defense and the Atlantic Alliance," *International Security* 7 (Fall 1982): 153. See also Jan Lodal, "Deterrence and Nuclear Strategy," *Daedalus* 109 (Fall 1980): 167; and Colin Gray, "A New Debate on Ballistic Missile Defense," *Survival* 23 (March/April 1981): 68.

[28] Lodal, "Deterrence and Nuclear Strategy," 167; and Jeffrey D. Boutwell, Paul Doty, and Gregory F. Treverton, *Nuclear Confrontation in Europe* (London: Croom and Helm, 1985), 210.

[29] Kahn, *Thinking about the Unthinkable*, 116.

[30] Ibid.

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None of this is counterintuitive. Complicating offensive tasks should discourage offensive action, and protection from some forms of Soviet retaliation might make U.S. leaders more willing to implement threats that they otherwise would not want to carry out. But there is more to it than this. BMD would generate more numerous and unique forms of strategic uncertainty by vastly multiplying the number and variety of strategic relationships that could obtain. Offense-only arrangements present each side with the possibility of only three basic strategic relationships—offensive equality (or parity), offensive superiority, and offensive inferiority. Table 1, however, demonstrates that offensive-defensive interaction would make at least three times as many strategic relationships possible; and few of these would be devoid of incentives to strike first and several would cast grave doubt on the United States's ability to extend nuclear deterrence to Europe.

The most stable relationships in Table 1 are found in Combinations 8 and 1. In Combination 8 defenses are overwhelmingly dominant. Here neither side would benefit by initiating preemptive counterforce attacks, since these would amount only to minimal and militarily insignificant penetration. Combination 1 most likely also would be stable, since offenses and opposing defenses are equally capable and could fight to mutual exhaustion, in effect canceling one another out.

Combinations 2 and 7 approach defense-dominance and, therefore, might also be considered stable. As above, each has one evenly matched relationship in which offense and defense could cancel one another out, but each also has one unevenly matched relationship in which a superior defense could both repulse *and withstand* the opposing offense; that is, it could neutralize and absorb strikes of limited magnitude without being completely consumed in the process. Thus some potential exists for one party, Side A in Combination 2 for example, to emerge from a limited exchange with a diminished but reasonably effective defense capable, for example, of deflecting limited population attacks if escalation ensues. Side A in that sense has a strategic advantage, but not one that is especially provocative or destabilizing.

Combinations 5 and 9 also have stabilizing qualities. One side enjoys undisputed preponderance in both offensive and defensive dimensions, so the inferior party would not rationally initiate a limited strike, nor would the superior side need to do so if the underdog is rational and, therefore, compliant. Here, however, a powerful caveat applies: stability in this case would be achieved only at the sacrifice of one party's supreme interests. The technologically inferior could be blackmailed into submission by the technologically superior. Naturally only one of these two combinations would be acceptable to each side. Both sides, no doubt, would be pleased to have the upper hand, but this position could be guaranteed to neither party nor indefinitely maintained. One party's movement toward preponderance in both dimensions, moreover, would greatly alarm the other side and possibly precipitate preventive war.

The three remaining possibilities would be unstable. In Combination 6, since each side's offense is superior to the opposing defense, whoever strikes first with a counterforce attack would invigorate its otherwise feeble defensive posture by

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TABLE 1

Combinations of Offensive-Defensive Relationships Under Limited, Imperfect Defenses

Side A		*Side B*	
Offense	*Defense*	*Offense*	*Defense*
1. (1A) Equal to B's Defense	(1B) Equal to B's Offense	(1C) Equal to A's Defense	(1D) Equal to A's Offense
2. (2A) Equal to B's Defense	(2B) Better than B's Offense	(2C) Worse than A's Defense	(2D) Equal to A's Offense
3. (3A) Equal to B's Defense	(3B) Worse than B's Offense	(3C) Better than A's Defense	(3D) Equal to A's Offense
4. (4A) Better than B's Defense	(4B) Equal to B's Offense	(4C) Equal to A's Defense	(4D) Worse than A's Offense
5. (5A) Better than B's Defense	(5B) Better than B's Offense	(5C) Worse than A's Defense	(5D) Worse than A's Offense
6. (6A) Better than B's Defense	(6B) Worse than B's Offense	(6C) Better than A's Defense	(6D) Worse than A's Offense
7. (7A) Worse than B's Defense	(7B) Equal to B's Offense	(7C) Equal to A's Defense	(7D) Better than A's Offense
8. (8A) Worse than B's Defense	(8B) Better than B's Offense	(8C) Worse than A's Defense	(8D) Better than A's Offense
9. (9A) Worse than B's Defense	(9B) Worse than B's Offense	(9C) Better than A's Defense	(9D) Better than A's Offense

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reducing the size of the opposing offense. Neither side would want to absorb the first blow and both would want to strike first, because defenses would be more effective against the so-called "ragged response" of an offense that has already been softened up. Combination 6, therefore, amounts to a dangerous, double, use-them-or-lose-them scenario in which both sides' offenses could stand alert on hair triggers poised for the first move.

Although less overtly provocative than the previous combination, in which *both* sides have strong incentives to fire first, Combinations 3 and 4 are also unstable, because they would give *one* of the two sides good reason to preempt. Side B in Combination 3, for example, has an obvious offensive advantage. But its defense, although incapable of enduring A's offense, could fight it to mutual exhaustion. If, however, B strikes first, it might significantly weaken A's offense and come away from a limited exchange with superiority in both offensive and defensive dimensions.

In sum, the addition of a defensive dimension to the strategic environment would greatly expand the number of possible strategic relationships that could occur and create possibilities for both more and less stable strategic interaction. A key question is whether this more complicated environment would give military planners and political leaders greater or lesser pause in contemplating first-use than if defenses were not deployed. A partial answer to this question lies in the fact that only two of the nine combinations in the table, Combinations 8 and 1, approach uncompromised stability. Two others, Combinations 5 and 9, have stabilizing qualities, but reduce one side to abject inferiority, an unacceptable condition for whoever winds up on the losing end. Thus, only three of the table's nine combinations can be deemed both truly stable and acceptable from a national security standpoint. The rest are either unstable or fall somewhere in between.

But what of the implications for NATO? Quite significantly, only Combinations 4 and 5 would unambiguously strengthen extended deterrence. U.S. ballistic missiles would in both cases be well defended and capable of penetrating Soviet defenses in limited strikes aimed at influencing the course of war in Europe. These American advantages would markedly reduce Soviet strategic options. Aside from having to rely more heavily on bombers and cruise missiles, which would be unaffected by BMD but ineffective against ICBMs and SLBMs, Moscow would be compelled either to escalate with massive ballistic missile attacks that could saturate U.S. defenses and thereby risk massive American retaliation, or to acquiesce and let the tide of war in Europe turn against it.

Combination 6, the double use-them-or-lose-them scenario, is a special case. Here weak BMD would leave ballistic missiles on both sides vulnerable to opposing offensive forces. The advantage would go to whoever strikes first, because a heavily damaged enemy offense might be hard-pressed to break through even a weak defense. Both sides then would be strongly motivated to preempt, and extended deterrence would hinge precariously on whether the United States is able to maintain a credible, or at least "not incredible," first strike posture. Moscow might calculate that aggression in Europe is simply too risky with American forces poised

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to preempt. As Herman Kahn has explained, "by making war marginally more likely in a serious crisis, one actually makes all forms of war—including nuclear war—less likely."[31] On the other hand, if Moscow ever concluded that conflict in Europe was unavoidable or imminent, it would undoubtedly preface its war plans with preventive or preemptive counterforce measures designed to attain offensive and defensive advantages at the outset.

All other combinations would weaken extended deterrence, because Soviet defenses would block or impede limited American strikes. In some cases, as in Combinations 1, 2, 7 and 8, U.S. ballistic missiles would be well defended, but this apparent advantage would be nullified by effective Soviet defenses; whatever U.S. BMD might contribute to extended deterrence, therefore, would depend on the capabilities of both U.S. and Soviet defenses. In this respect, even very good U.S. BMD, "all bought and paid for," might be cancelled out by Soviet counter-deployments.[32]

Reciprocal deployments of BMD then would present an important variant of the "stability-instability" paradox, the most familiar form of which suggests that if nuclear war promises unacceptable damage the most rational thing to do is to avoid it at all costs. Yet an open commitment on this order would encourage a determined aggressor to "probe relentlessly in the calculation that risks are low enough to be worth running."[33] Effective but imperfect BMD deployed by both superpowers could have a similar effect. If the United States were better protected, American leaders might perceive lower risk in responding to Soviet aggression in Europe. But this principle would apply in the Kremlin as well: if the Soviet Union were better protected, Soviet leaders might perceive lower risk in launching an invasion of Europe, in which case war at lower levels of violence would become more likely.[34] The implications, however, are broader than this, because the escalatory potential of any conflict between the United States and the Soviet Union would be enormous. The greater likelihood of war at lower levels of violence would automatically increase chances of a more widespread, unconstrained conflict in which even very good BMD would quickly succumb.

Perceptions and Risks

There is reason enough to call even a partial defensive transition into question if BMD would make strategic instability more probable by multiplying destabilizing possibilities—but there is more. Focusing only on the *odds* of instability implies somewhat misleadingly that strategic interaction under defenses would be random,

[31] Ibid., 120.

[32] Office of Technology Assessment, *Directed Energy Missile Defense*, 74.

[33] Robert Jervis, *The Illogic of American Nuclear Strategy* (Ithaca, N.Y.: Cornell University Press, 1984), 155.

[34] Keith B. Payne and Colin S. Gray, "Nuclear Policy and the Defensive Transition," *Foreign Affairs* 62 (Spring 1984): 831.

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the product of some dynamic independent of bias and systematic error. Decision makers, however, act on the basis of what they believe is true, and often on what they *want* to believe is true, but not necessarily on what is actually true.[35] Whether the strategic uncertainties fostered by BMD would have a stabilizing impact, therefore, ultimately depends on leaders' perceptions and their necessarily subjective assessments of relative offensive and defensive capabilities. It is among these perceptions and assessments that the differences between purely offensive and offensive-defensive strategic uncertainties would be most pronounced.

Contemporary offense-only arrangements are already replete with uncertainty; some analysts believe that partially disarming counterforce strikes have a fair chance of succeeding; others are unconvinced. Thus, even without the added complexities that would be generated by BMD, a sizable number of analysts are already wrong one way or the other and could make disasterous mistakes in a crisis or war. The issue is not so much whether greater uncertainty under defenses would lead to greater caution in decision-making circles, but whether by generating ambiguity over relative capabilities BMD would be more or less conducive to misperception and miscalculation of strategic risks. This is the question that needs to be answered before anyone should assume that greater uncertainty under BMD would enhance deterrence.

How much additional ambiguity over relative capabilities would BMD create? Perhaps the most striking aspect of offensive-defensive interaction would be the tremendous dearth of knowledge about how well defenses would work in wartime. Comprehensive field testing of today's offensive weapons provides many answers about their reliability and performance, enough at least so that each nuclear weapon in every arsenal implicitly represents an increment of potential destruction; but field testing of BMD on a comparable scale and with comparable reliability and validity would not be possible.[36] Many parts of the overall system could not be tested together operationally, "except under the hostile environmental conditions of actual war."[37] As the Pentagon's Defense Technology Study Team candidly reported, BMD would be so unprecedentedly complex that "the problem of reliably testing an entire system, end to end, would have no complete technical solution."[38]

Great faith, therefore, would ultimately have to be placed on the ability of technicians to simulate hostile environments, including threats posed by ASATs and the great variety of other countermeasures that would be available to the Soviets. Although the SDIO contends that these simulations would be realistic, the true

[35] See Robert Jervis, *Perception and Misperception in International Politics* (Princeton, N.J.: Princeton University Press, 1976).

[36] Ashton B. Carter, "Applications" in Carter and Schwartz, eds., *Ballistic Missile Defense*, 179.

[37] Gary L. Guertner, "What is 'Proof'?" *Foreign Policy* 59 (Summer 1985): 73–84; Charles A. Zraket, "Strategic Defense: A Systems Perspective," *Daedalus* 114 (Spring 1985): 122.

[38] Battle Management Commission, B. McMillan, Chairman, *Report of the Study on Eliminating the Threat Posed by Nuclear Ballistic Missiles*, vol. V, J. C. Fletcher, Study Chairman (Washington, D.C.: Department of Defense, Defense Technology Study Team, February, 1984), 6–7.

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qualities of wartime realism simply could not be known under such novel circumstances.[39] Without the benefit of actual offensive-defensive encounters that are both large and sustained enough to generate meaningful data, absolute and relative offensive-defensive capabilities would remain pure mystery.

Some would argue that military planners' well-known propensities to assume the worst under such uncertainty would convert these ambiguities into strategic assets; each side, they contend, would assess its chances of successful penetration and a successful attack unfavorably, and be more circumspect about initiating hostilities. Once again, the argument makes intuitive sense but falters upon closer scrutiny. Military planners who operate on worst-case assumptions do not reflexively conclude that *outcomes* will be unfavorable; that would be to substitute blind pessimism for reasoned analysis. If worst-case assumptions always fostered so much pessimism, military planners and political leaders would only rarely assess their adversaries' capabilities as significantly inferior to their own, and this clearly is not the case.

Worst-case assumptions could also be altered over time by changes in relative capabilities that are engendered by either technological innovations or technological decline. Periodic fluctuations in the pace and quality of research and development on each side could prompt varying assessments of what reasonably constitutes the worst possible case and unacceptable risk. One side's research community might, for example, stumble upon a revolutionary offensive or defensive breakthrough, while the other side remains temporarily ignorant of the new possibilities; or offenses and defenses could be mismanaged or allowed to fall into obsolescence or disrepair because of budgetary constraints. Much as with the problems currently facing NASA and the U.S. space program, any variety of mishap or sequence of bad decisions or bad luck could result in far-reaching and damaging ramifications for BMD and each side's offense. Either side, in short, could at some point be caught with its offenses or defenses down, while its adversary's capabilities remain static or continue to improve.

Finally, worst-case analyses would be subject to psychological and political change at several levels—individual, group, organizational, and even societal.[40] Risk-taking propensities consequently would be subject to marked variation according to changes in national leadership, decision-making styles, organizational interests, bureaucratic politics, and pendulous swings in national mood—all of which would indelibly affect policy makers' perceptions of the other side's intentions and the means at each other's disposal. Instructive in these respects is the

[39] The Strategic Defense Initiative Organization, *Report to the Congress on the Strategic Defense Initiative, 1986*, VII-E-14.

[40] The literature is replete with representative examples of the influence of these factors in other foreign and defense policy contexts. See Graham T. Allison, *Essence of Decision: Explaining the Cuban Missile Crisis* (Boston: Little, Brown, 1971); Jervis, *Perception and Misperception*; Lebow, *Between Peace and War*; Morton Halperin, *Bureaucratic Politics* and *Foreign Policy* (Washington, D.C.: Brookings Institution, 1974); Irving Janis, *Groupthink* (Boston: Houghton Mifflin, 1982); John Lewis Gaddis, *Strategies of Containment* (New York: Oxford University Press, 1982).

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sharp contrast between the malaise widely said to have characterized the Carter administration's foreign and defense policies and the upbeat (or rash) activism and optimism of the Reagan administration.[41] Depending on who is at the national helm and when—even allowing for worst-case assumptions—the many uncertainties that BMD would spawn could foster irrational national postures founded on boastful overconfidence, wishful thinking, and unhealthy pessimism just about as easily as they could foster more prudential assessments of strategic realities.

In conjunction with the many ambiguities surrounding BMD's likely performance in actual combat, these political and psychological variables raise greater potential for misperception of relative offensive-defensive capabilities and miscalculation of risks. Soviet and American leaders could easily arrive at notably different *perceptually-wrought* conclusions about what BMD could do, and then proceed on the basis of asymmetrical and dangerously inaccurate strategic assessments.

Referring again to Table 1, Combination 5, where Side A has undisputed superiority in both offensive and defensive dimensions, would probably be stable. Side A's clear-cut preponderance would put Side B in no position to be plucky. But suppose that, because of the ambiguities and uncertainties discussed above, Side A's superiority was not self-evident; suppose that because of misperception or miscalculation side B is oblivious to its hapless condition; worse, suppose its leaders have erroneously concluded that *they* have the upper hand and that Combination 9 is the proper measure of relative capabilities. Perceptions in that case would create the disjointed and highly perilous context of Combination 5A5B vs. 9C9D, in which *both* sides view themselves as decidedly superior. Finally, suppose the two sides behave accordingly; operating on the basis of such conflicting definitions of strategic realities they would very likely rush headlong into crisis, posturing aggresively and spewing threats that neither takes as seriously as it should.

Misperception and miscalculation, it should be noted, also raise possibilities for stable relationships under BMD. As Combination 9A9B vs. 5C5D indicates, each side could consider itself unambiguously inferior in both offensive and defensive dimensions and mistakenly conclude that threats and posturing on its part would be too transparent to be useful. One or both sides then might fail to exploit good opportunities to use their strategic power for political advantage, but of course the likelihood of a nuclear crisis and war would be comfortably low.

None of this is to suggest that either stable or unstable strategic conditions would *necessarily* prevail if BMD were deployed. But a much wider array of possibilities would come into view with BMD, some of which, unquestionably, could be safer

[41] See Barry Posen and Stephen Van Evera, "Reagan Administration Defense Policy: Departure from Containment" in Kenneth Oye, Robert Lieber, and Donald Rothchild, *Eagle Defiant: United States Foreign Policy in the 1980s* (Boston: Little, Brown, 1983), 67–104; Colin S. Gray and Jeffrey G. Barlow, "Inexcusable Restraint: The Decline of American Military Power in the 1970s," *International Security* 10 (Fall 1985): 27–69; Robert W. Komer, "What Decade of Neglect?" *International Security* 10 (Fall 1985): 70–83.

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than present conditions without defenses, but many more of which could be dangerous beyond imagination. Political leaders and military planners could be less certain of success, but also less certain of failure. Increased strategic uncertainty under BMD, therefore, would be multiedged: leaders could be discouraged from offensive action by opposing defenses that they perceive as highly effective; or they could be compelled by unfavorable trends into dire action they would otherwise not take; or they could be emboldened by real or perceived advantages to undertake actions they would ordinarily reject out of hand.

All this underscores three crucial points. First, technologically, politically, and perceptually, BMD would make the strategic environment far more dynamic than it has been without defenses. Relative capabilities would fluctuate in both "real" and perceived terms according to the ebb and flow of technologies, strategies, tactics, and national leadership's risk-taking propensities. The popular notion of a *single* "defensive transition" that begins and ends, therefore, is spurious; for it implies that a stable, defense-dominant strategic relationship would be attained *and maintained* in a context where offenses and defenses would be alternatingly predominate, depending on the state of the offensive and defensive arts and military and political leaders' variable assessments of strategic conditions.[42]

Second, symmetrical multiple transitions could theoretically be stable; but because of the inability to test BMD under realistic conditions the resulting ignorance about their likely performance would elevate the potential for misperception and miscalculation and make stable, symmetrical transitions unlikely, or at least impossible to maintain.[43]

Finally, this lower likelihood of symmetrical transitions could foster extremely hazardous circumstances, as for example in Table 1's Combination 5A5B vs. 9C9D, where both sides would feel more secure than they really are and more confident than they should; or as in a case where one side seems to be on the verge of shifting the offensive-defensive equilibrium decisively in its favor, since in that event the "premium for striking first and the penalty for waiting would be powerfully destabilizing factors—particularly during an acute crisis."[44]

Arms Control

Some supporters of SDI argue that the foregoing problem of recurring, unstable transitions could be circumvented through arms control; that is, a single, stable transition to defense-dominance might be brought about and preserved if the United States and the Soviet Union could agree to regulate offenses and defenses in ways that would preclude serious challenges to BMD. Shortfalls in defensive capabilities that might prompt a return to offense-dominance would thus be offset, either

[42] On this point see Charles L. Glaser, "Why Even Good Defenses Can Be Bad," *International Security* 9 (Fall 1984): 42–123.

[43] Ibid., 120.

[44] Keith B. Payne, "Strategic Defense and Stability," *Orbis* 28 (Summer 1984): 217.

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by offensive reductions on one side or supplemental defenses on the other side, but all carefully managed and calibrated to mutual satisfaction. Since defensive technologies would be restricted by their infancy, initial tinkering of this kind would have to be done mostly by ratcheting offensive capabilities downward, not defensive capabilities upward. Defenses, of course, would constantly improve, but too tentatively at first to keep pace or surpass mature and more tractable offensive technologies. For example, the Fletcher Panel, a committee established by the Defense Department to study BMD, placed explicit faith in the eventual ability to secure "mutual defensive and offensive limitations" with the Soviets.[45] Paul Nitze likewise envisioned the beginning of a "cooperative endeavor" with Moscow that would last "perhaps for decades."[46] BMD's success, therefore, is predicated in some highly influential circles on the emergence of an arms control regime that would be more successful and comprehensive than anything that has been accomplished yet.[47]

This reliance on arms control as a means of managing offensive-defensive dynamics raises important questions. Would the enhanced strategic uncertainty associated with BMD facilitate arms control? If meaningful arms control proved to be possible, could it be sustained? And what if arms control broke down? Arms control's prospects, of course, would depend on countless variables; but much undoubtedly would depend on how American and Soviet leaders perceived one another's motives as they developed and deployed BMD. Opponents of BMD have argued that SDI, in conjunction with the American offensive modernization program, casts U.S. intentions in an aggressive light.[48] President Reagan—no opponent of SDI—has similarly observed that a defensive system paired with offensive systems could be viewed as "fostering aggressive policy."[49]

If Soviet pronouncements on the subject are taken at face value, "aggressive" is precisely how Moscow would view American BMD. Soviet leaders have consistently expressed concerns about American intentions, charging that the only serious rationale for U.S. BMD is to defend against a Soviet offense that has already been weakened by American preemption.[50] From their perspective, SDI is a security threat of the gravest proportions that would promote a "new uncontrollable

[45] Cited in McGeorge Bundy, George F. Kennan, Robert S. McNamara, and Gerard Smith, "The President's Choice: Star Wars or Arms Control," *Foreign Affairs* 63 (Winter 1984/85): 266–267.

[46] Nitze, Remarks at Philadelphia World Affairs Council; see also Robert L. Jackson, *The New Strategic Policy: Issues for Congressional Consideration*, Report No. 85-134F, U.S. Library of Congress, Congressional Research Service, Foreign Affairs and National Defense Division, 18 April 1985, 8–9; the testimony of James Fletcher, *Department of Defense Authorization for Appropriations, FY 1985*, pt. 6, 2919; and Secretary George P. Schultz, "Arms Control: Objectives and Prospects," speech before the Austin Council on Foreign Relations, Austin, Texas, 28 March 1985.

[47] Jackson, *New Strategic Policy*, 5–12.

[48] Bundy et al., "President's Choice," 271.

[49] Ronald Reagan, "Speech on Foreign Policy and National Defense," *New York Times*, 24 March 1983.

[50] John Steinbruner, "Arms Control," *Foreign Affairs* 64 (Summer 1985): 1041.

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arms race" and "strategic chaos," not more stable and predictable strategic interaction.[51]

Former Defense Secretary James Schlesinger's recollection of how the United States planned to respond to Soviet antiballistic missile efforts in the 1960s stands as perhaps the most telling indication of what Moscow would do in response to American BMD: "We were already talking about some 50,000 warheads to overcome Soviet defenses."[52] Clearly, then, when confronted by an adversary's defense, the natural inclination – among military minds particularly – is to strengthen, not weaken, one's offense. This has been true since primitive shields were first raised against sticks and stones. Since war planners on both sides persist in applying prenuclear logic to nuclear problems, there is no reason to expect this inclination to be reversed when BMD come on line.[53]

Most debilitating to arms control would be the complicated task of devising workable formulas for adjusting offensive and defensive forces amidst the perplexing ambiguities and uncertainties surrounding relative capabilities. Since little would be known about how offenses and defenses would work and interact, the jobs of calibrating them to one another and establishing mutually acceptable bases for their comparison and regulation would very likely be hopeless. Difficulties have been nearly insurmountable with large offensive forces whose capabilities are relatively clear.[54] The Reagan administration claims, for instance, that the Soviets enjoy a "margin of superiority," but the Kremlin swears the two sides are at parity. Strategic arms reduction talks meanwhile are relegated to years of protracted haggling. It is not hard to imagine that if BMD are deployed, Moscow would indignantly demand deeper cuts in American offenses to compensate for what it would insist are relatively weak Russian defenses. Equally imaginable would be irate claims from the Pentagon that Russian defenses are superior to the American offense and that U.S. forces should be augmented in the interest of equity. Problems of this kind have plagued offensive arms control from the beginning, and it is hard to see how they could be resolved or better managed with the added complications of a defensive dimension.[55]

This is particularly ironic for those who presently believe that strategic uncertainty should be cultivated *and* that arms control is a prerequisite for a stable defensive transition. Heightened strategic uncertainty would almost assuredly belie mutually agreeable means of verifying capabilities, comparing vulnerabilities, and

[51] *New York Times*, 1 January 1986; and 30 May 1985; see also the testimony of Franklin Miller on this point, U.S. House of Representatives, Hearings, *Department of Defense Appropriations for 1986*, pt. 7, 99th Cong., 1st sess., 7 May 1985, 726; and Donald L. Hafner, "Assessing the President's Vision," *Daedalus* 114 (Spring 1985): 102.

[52] Cited in Schlesinger, "Rhetoric and Realities," 3; see also, Bill Keller, "Air Force Seeking More Wiley Missile," *New York Times*, 2 February 1985; Carl Levin, "Star Wars: The Beginning of Another Chess Match," *Washington Post*, 10 March 1985.

[53] See Robert Jervis, *The Illogic of American Nuclear Strategy*, 47–63.

[54] Robert McNamara and Hans Bethe, "Reduction of Risk of Nuclear War," *Atlantic Monthly*, July 1985.

[55] Office of Technology Assessment, *Ballistic Missile Defense Technologies*, 134.

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calibrating forces for optimum stability. With these basic conditions unfulfilled, serious arms reductions would be virtually out of the question. The very uncertainty that these advocates promote in the name of stability would erode confidence that arms control is proceeding according to accurate readings of relative capabilities. One cannot reasonably advocate both enhanced strategic uncertainty and arms control. The two in many important respects are mutually exclusive.

Another popular supposition is that even if formal arms control proves to be impossible, BMD might at least compel the Soviets to deemphasize ballistic missiles and emphasize more stabilizing delivery systems, like bombers and cruise missiles. This argument contains at least two flaws. First, it uncritically accepts the claim that greater emphasis on bombers and cruise missiles would be more stabilizing. This claim might be justified, but those who make it have provided little substantiating analysis. Second, the argument grossly underestimates the institutional momentum that has gathered in both countries behind the organizations and interests that are involved with the design, construction, testing, and operation of ballistic missiles. The dogged persistence of bureaucracies, even in the face of stark obsolescence and irrelevance, ranks among the most widely acknowledged features of organizational life. How likely, therefore, is it that the Soviet Strategic Rocket Forces and its political allies in the Kremlin would throw up their hands in exasperation and resignation because American defenses seem too tough? What would one expect from the Strategic Air Command under similar circumstances? Both, no doubt, would amass their considerable political influence and convince their respective governments that accelerated ICBM, MIRV, ASAT, and other countermeasure programs are imperative for national security.

But what if arms control succeeds? Unfortunately there is no reason to expect any arms control regime to last indefinitely or without periodic lapses. START (Strategic Arms Reduction Talks), Salt II (Strategic Arms Limitation Treaty) and the ABM (antiballistic missile) Treaty stand as sobering reminders that arms control agreements are susceptible to the vagaries of domestic politics, revisionist interpretations, psychological and political linkages to unrelated international crises, and, of course, to exotic new technologies that make competition seem more attractive than cooperation. The arms reduction regimes upon which offensive-defensive equilibrium would depend could, therefore, easily yield to entropy and unwind over time. Moreover, decades could pass before they are reconstituted, with the gaps between the regimes characterized by dangerous offensive and defensive surges in which everyone scrambles for advantages in both dimensions. Because of BMD, the classic "security dilemma" would be multiplied by two.[56]

Conclusion

This article assesses the likely impact of the additional strategic uncertainty that a defensive dimension to the strategic environment would generate. Those analysts

[56] Robert Jervis, "Cooperation Under the Security Dilemma," *World Politics* 30 (January 1978): 167–214.

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who advocate BMD speculate that an offensive-defensive mix would so complicate projections of probable attack outcomes that American and Soviet leaders would increasingly find limited nuclear strikes, especially counterforce varieties, too unattractive to contemplate seriously in time of crisis. This reasoning, however, is shown to proceed from either an insufficient understanding or an insufficient appreciation of what complicating the strategic environment with defenses really means.

Generating strategic uncertainty with BMD means multiplying the number of strategic relationships that could conceivably obtain. Some of these new relationships could indeed promote greater uncertainty about the chances of successfully waging limited nuclear war and thereby strengthen deterrence—including extended deterrence. But some—and, as this analysis shows, actually more—of these newly conceivable relationships could make preemptive or preventive limited war seem either less risky or more imperative than they are likely to seem without defenses.

Indeed, given the possibilities outlined here, it would be most improbable that the Soviet Union would be as powerfully intimidated by American threats to use nuclear weapons in the defense of Europe as they are today. This would not necessarily be because American leaders would be less willing to implement their threats—U.S. defenses in some cases would make them more willing in this respect—but because Soviet defenses would make Russian leaders less skittish about the consequences.

Finally, because uncertainty is a condition that admits two or more meanings, greater strategic uncertainty could make military planners and political leaders on both sides more prone to misperception of strategic realities, miscalculation of risks, unwarranted optimism, or unhealthy pessimism.[57]

The most fundamental question where SDI is concerned is not whether space-based BMD are feasible or whether they would be cost effective at the margin; the fundamental question is whether it is wise to gamble that the more numerous, destabilizing possibilities under BMD will never materialize and that the less numerous, stabilizing ones always will. Such a gamble would be unwise. More attention and funds, therefore, need to be devoted to passive defenses, like hardening and mobility, to protect retaliatory forces and other key strategic assets. These measures would capitalize on existing offensive uncertainties—all too heavily discounted by most BMD advocates—and complicate strategic planners' tasks without introducing dangerous and unfamiliar offensive-defensive dynamics.*

[57] Paul Bracken, *Command and Control of Nuclear Forces* (New Haven, Conn.: Yale University Press, 1983), 68.

* I am indebted to Monte Mallin, my former student, whose contrary but stimulating views inspired this article.

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Book Reviews

Nuclear Planning in NATO: Pitfalls of First Use *by Daniel Charles. Cambridge, Mass., Ballinger, 1987. 177 pp. $22.50.*

This is a very well-researched and well-written book, applying some tough critical standards to current NATO policies on the first use of nuclear weapons; but it does not apply the same rigorous intellectual tests to its own case for removing nuclear weapons. The book articulates what the West may be risking in its preparations for nuclear escalation whenever a Soviet conventional ground force invasion of West Europe could not be repulsed; but the author largely brushes aside and evades what the corresponding pitfalls would be in a policy of "no-first-use."

One of the author's headings captures a great deal of the Pareto Optimality of the current situation: "You Can't Have It Both (Or All) Ways" (p. 107). NATO cannot be sure of achieving extended deterrence by the threat of nuclear escalation and at the same time be sure of retaining political control over nuclear weapons. Making sure that nuclear weapons never get used, when one wants them not to be, conflicts with leaving it credible that they would be used if a Soviet aggression was under way. The use of nuclear weapons would not be rational for any of the parties if a Soviet attack on western Europe (however successful) had been limited to the use of non-nuclear weapons.

But, if such a western nuclear escalation is irrational, it would be equally irrational for the Soviets to send their tank forces forward, when such a responsive escalation is as likely as this book often indicates. "You can't have it both ways" thus applies to either side of this argument, since we are on a frontier where improvement in any particular category comes at the price of worsening in some other category. If we ease the risk of all-out nuclear war by pulling theater nuclear weapons out of the possible NATO battlefield, doesn't this make conventional war more likely?

Charles does not discuss the problems of the alternative, a reliance on conventional forces, in any detail. At one point he suggests that "Much of the best literature on this subject concludes that if NATO makes efficient use of the conven-

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tional forces at its disposal, it is unlikely to be overrun in a lightning attack" (p. 78). But what is "efficient use" of what "resources"? Are we talking of much higher tax burdens in arranging a conventional defense, and are we talking of a return to the draft in the United States? At another point he stipulates that "no conventional defense will ever be infallible" (p. 62), raising what is really the basic question, that of which risk West Europeans and their American friends will prefer to take. He approvingly quotes Jeremy Stone on "losses of territory in Western Europe to be treated as fait accomplis to be dealt with later" (p. 129). But this option of new Normandy landings to rescue West Europe from a Soviet occupation would hardly be so easy to sell to NATO members, even when they face the nuclear risks so well outlined in this book.

The book is certainly worth reading as an indictment of current policies. It is not to be regarded, however, as any kind of balanced assessment of the alternatives. It contradictorily wanders between stating repetitively that NATO governments would never choose to use nuclear weapons after any Soviet advance and stating that such warheads would indeed come into use because Permissive Action Links, the devices that keep nuclear weapons from exploding unless a lock is turned, may not really lock up such weapons. Which is it then? Is the nuclear escalation threat bad because it is so incredible? Or because it is credible?

Some books are quite useful and readable even if they amount to tendentious and one-sided statements of an argument. The Charles book is such a work, covering old ground with finer detail than we usually find on the subject. It is very topical in light of Soviet-American negotiations on INF deployments; at the same time it amounts to another round in a debate that has now been underway for three decades.

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Beggar Your Neighbours: Apartheid Power in Southern Africa *by Joseph Hanlon. Bloomington, Indiana University Press, 1986. 352 pp. $35.00.*

This valuable book, appearing under the sponsorship of the London-based Catholic Institute for International Relations, supplies a rich lode of detail on the ruthless South African campaign of economic, military, and political pressures on neighboring African states to its north. The primary author, Joseph Hanlon, has observed the events he chronicles in a reportorial mode as a correspondant for the British Broadcasting Corporation (BBC), the *Guardian*, and sundry financial publications.

The multifaceted destabilization policy pursued by South Africa, with special ferocity and determination since 1980, is inadequately recognized and understood in the West. During the 1980-1985 period, the attacks on neighboring economies have cost the eight states most directly involved (Angola, Botswana, Lesotho,

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Malawi, Mozambique, Swaziland, Zambia, and Zimbabwe) some $10 billion, or significantly more than the foreign aid received during the same years. More than a million persons have been displaced by this campaign; over 100,000 have died in ways directly or indirectly imputable to the destabilization attacks. Seven of the eight countries have been invaded by South African security forces during this period, with three hit by operations carried out in their capital cities. Hanlon and associates perform an inestimable service in their meticulous and reliable recording of these destructive acts.

The South African policy has evolved in three phases. Until the 1974 Portuguese coup and attendant collapse of empire, South Africa enjoyed a sturdy *cordon sanitaire* of colonial or settler regimes to the north; security for apartheid required only nurture and support for the frontier marches of white supremacy. In the late 1970s, South Africa sought to construct, through economic inducements and softening of the external face of apartheid, a constellation of dependent buffer states in southern Africa. Since 1980, partly under the cover provided by the failed Reagan policy of "constructive engagement," relentless military pressures were added to bludgeon neighboring states into submission and deny facilities to the armed opposition, the African National Congress (ANC).

The study is particularly illuminating in its anatomy of the pull and tug among factions within the security apparatus, the Afrikaner political establishment, and major economic interests affecting the shifting mix of military aggression, diplomatic pressure, and economic blandishments. Equally informative is the microscopic examination of the impact of these various measures in each of the eight neighboring states and their own policy responses. All the more remarkable, in the face of the terrible punishment meted out, is the steadfast commitment of most of the eight within the limits of the possible to the ideal of a free, democratic, nonracial South Africa.

While on the central issue of relations between South Africa and its neighbors the work is exemplary in its accuracy and objectivity, it falters on some peripheral issues. The celebratory passages on the success of the South African Development Coordination Conference (SADCC) seem premature. The serious derelictions in the performance of the Tzara (Zambia-Tanzania) rail line are inadequately explained; much more important than some episodes of South African sabotage are what Hanlon antiseptically alludes to as "some operational problems" (p. 246). Although the impact of American policy is generally given plausible analysis, the role of the Soviets and their junior partners is not. This is particularly striking in the Angolan chapter, in this and other ways the least satisfactory of the country cases.

Some of the dilemmas of the delinkage strategy recommended to the afflicted states are not given full scrutiny. We now move into a new stage, with enhanced sanctions policies on the way from the world at large and new South African strategies of response, partly built upon escalated pressure on its neighboring hostages, combined with efforts to utilize them as avenues of evasion. The tragic fact that there is virtually no possibility of significant aid increases to these damaged states,

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from West or East, insures that the victims of apartheid will continue to be not only South Africa's black majority, but many millions more in the entire region.

CRAWFORD YOUNG
University of Wisconsin-Madison

Fidel: A Critical Portrait *by Tad Szulc. New York, William Morrow, 1986. 703 pp. $19.95.*

Tad Szulc (pronounced Schultz) has undertaken a monumental effort in putting together the life of Fidel Castro. In addition to using published English and Spanish-language sources, he has interviewed dozens of people, including Castro and many of his past and present associates both in Cuba and in exile. What comes out must be the fullest and most personal account yet written of the Cuban leader from his childhood days through the fall of Fulgencio Batista.

The central theme of the book is a reconstruction of Castro's ideological evolution toward Marxism-Leninism. Szulc generally avoids the obvious pitfall of confusing ideological concepts (i.e., Marxism) with organizational concepts (e.g., Communist party membership or policies), but there are occasional lapses in this regard. A statement such as "But Guevara, despite his oft repeated declarations of allegiance to Marxism-Leninism, remained unhappy with the Cuban Communists," (p. 444) is, quite frankly, a *non sequitur.* Some Communists, not to mention non-Communist Marxists, have been "unhappy" with other Communists since the movement began.

On the ideological side, of course, conclusions cannot be thoroughly concrete. The subject is amorphous; Castro's early statements were ideologically vague, either because his ideas were vague or because he sought to conceal them or some combination of the two. Moreover, the evidence is contradictory, with Castro himself interpreting and reinterpreting his earlier positions to suit his current needs. Some salient points do stand out, however. Apart from his long-standing interest in such issues as public health and education, these include a continental vision and a deeply ingrained anti-Americanism, which seem to form the basis of his belief system. As early as 1955 Castro is quoted as saying that his struggle "was part of the continental struggle against the Yankees that Bolivar and Martí had already foreseen" (p. 337).

Prior to the fall of Batista, it appears that Castro's main objection to the Communists as an organization was twofold. First, they were doing little or nothing to promote revolution in Cuba. Second, joining their party would have made him a follower rather than the leader he envisioned himself to be. So he formed his own organization, one that was ideologically mixed and sufficiently broad based to achieve his immediate goal of overthrowing Batista. Once Castro was estab-

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lished as the charismatic leader of revolutionary Cuba, his objections were no longer relevant and the path was cleared for the Communists to join him. Perhaps Castro should have been more concerned that the Communist affiliation would evoke the hostility of the United States, but he seems to have anticipated a hostile reaction in any event. In the end, spiraling Cuban-American tensions did more to further the merger than to delay it.

No doubt, the most significant new information in the book concerns Castro's secret negotiations with the Communists early in 1959 and the workings of what Szulc calls the "hidden government." For the first time, Szulc reveals that Castro held discussions with Communist leaders concerning the merger of their two organizations as early as January 1959 (pp. 471–5). Evidently the notion met with resistance, for it was "late in 1959 or early in 1960" before the Communists agreed to accept Castro's leadership (while still maintaining their "identity and autonomy" as a party) and well into 1961 before either side said anything of mergers in public.

Concerning the "hidden government," Szulc gives details and insights on something we have already known in a general way—that it was more important to be in Fidel Castro's personal entourage than to be in the government. Szulc shows that Castro's radical inner circle met and planned regularly behind the backs of his more moderate cabinet. At first this occurred at private homes and later in the framework of the National Institute of Agrarian Reform, which quickly developed into a highly arbitrary government within the government.

Unfortunately, after 1959 the nature of Szulc's book changes, becoming a cursory and more general history. His sources were evidently far less forthcoming in relation to recent events—in this case, meaning just about anything since the Cuban missile crisis. This section is also marred by occasional errors and omissions.

One error deserves particular attention if only because K. S. Karol, a respected commentator on Cuban affairs, has called it "the most important revelation of Szulc's book." (*The New Republic*, 19 January 1987). According to Szulc, " . . . as early as March 10, 1959, only two months after he [Castro] entered Havana, the National Security Council (NSC) in Eisenhower's administration had already reviewed modalities for bringing 'another government to power in Cuba'" (p. 51, see also pp. 480–482). (Szulc cites Pamela Falk, *Cuban Foreign Policy*, of which he saw a prepublication manuscript. The published version makes no such reference.) Szulc uses this date to argue that the United States never gave relations with Castro a chance to develop properly, thus making the Cuban-American clash inevitable. Inevitable it may have been, but this date should not be used as evidence. The line Szulc quotes comes from the Church Committee's report on *Alleged Assassination Plots Involving Foreign Leaders* (p. 93) and refers to a meeting held on 10 March 1960, not 1959. This may sound like quibbling to some, but such an error can create a distorted image of U.S. policy motivations at that time.

SCOTT C. MONJE
Columbia University

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Human Rights in Contemporary China *by R. Randle Edwards, Louis Henkin and Andrew J. Nathan. New York, Columbia University Press, 1986. 193 pp. $25.00.*

The title seems to be an oxymoron, suggesting possibly that the authors have succumbed to a love of China that has blinded them to realities. Or, equally, the work could perhaps be a polemic against a still authoritarian, if no longer fully totalitarian, People's Republic of China (PRC). Surprisingly, the book is neither. Instead the three authors realize the remarkable achievement of being in equal degree hardheaded champions of human rights and clear-minded interpreters of China's cultural and legal traditions. They are realists in that they appreciate both the gap between perfection and current performances and any improvement, however slight, in human rights.

In the first chapter Louis Henkin boldly compares the American and Chinese traditions on human rights. In doing so, he violates the norms of more squeamish comparativists who believe it is inappropriate, if not ethnocentric, to compare developing countries with the United States. The result, however, is a valuable and concise statement of the manifest differences in American and Chinese ideals and practices.

In a second and longer chapter, R. Randle Edwards, director of the Center for Chinese Legal Studies at Columbia Law School, analyzes the theory and practice of civil and social rights in Chinese law in terms of five Chinese legal values: a mission of modernizing while adhering to socialism; of preserving the organic whole of society; of insisting that rights flow from the state and that they do not reside with the individual; of avoiding formal litigation; and finally a "principle of nonfinality," which produces a preference for "substantive justice over procedural justice. Truth is regarded as unitary and knowable. Guilt is essentially subjective; not objective . . . [determined by] the state of mind of the accused," calling for confession (p. 47).

The final two chapters by Andrew J. Nathan consist of analysis of China's constitutional developments and of the sources of Chinese thinking about political rights. Nathan is probably the first political scientist to have reviewed with care the eleven or twelve major constitutions the Chinese have drafted since 1908. Instead of quibbling over whether Chinese practices followed constitutional principles, Nathan has ingeniously used the ideas about political rights articulated in the succession of constructions as indicators of the drift of political thinking among Chinese as they have become sensitized to international developments in the area of human rights.

Nathan's final chapter is a brilliant summary of both traditional and Communist distrust of individualism and the Chinese preference for seeing the law as the will of the state. He notes that even Chinese dissidents of today tend to distrust individualism as selfishness. He ends by making an unequivocal defense for why westerners should concern themselves with the issue of human rights in China: for among other reasons the Chinese reject the idea of cultural relativism, they are moving toward acceptance of international law, and the Chinese authorities

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are sensitive to foreign criticism; therefore, it is appropriate to point out their problems with human rights.

As a whole, this collective volume presents well the traditional Chinese and the current PRC traditions of group solidarity and paternalistic authority. It clearly explains the problems Chinese have in empathizing with the idea that rights should be identified with the individual and not be a concession of the collectivity. While pointing out how far the Chinese still have to go, the Columbia triumvirate do record what has been accomplished there in improving human rights. The sum effect of their analyses is a somewhat pessimistic view, modified by the conviction that improvement is both possible and likely.

This study demonstrates above all that there is solid ground for rigorous comparative analysis of fundamental human values in the frequently ignored terrain that lies between wishy-washy cultural relativism and dogmatic absolutist standards. The authors seem to be saying that since the Chinese are sophisticated enough to make a case against individual rights, they are also capable of understanding, in theory at least, the meaning of human rights. Hence debate and persuasion are appropriate. There is no need for silence about China's performance on human rights matters.

LUCIAN W. PYE
Massachusetts Institute of Technology

Chinese Democracy *by Andrew J. Nathan. Berkeley, University of California Press, 1986. 313 pp. Paper, $8.95.*

The University of California Press has done a great service to make Andrew Nathan's study of democracy in China more accessible by issuing it in a paperbound version. And what good timing! Just as student demonstrators were weaving through the streets of China's major cities in Winter 1986–87, this volume was rolling off the presses helping us understand why the demonstrators would not succeed. While not anticipating the events of 1986–87, Nathan does an excellent job delineating the differences between Deng Xiaoping's reform movement and pluralistic democracy demanded by some of the demonstrators.

This book is an ambitious undertaking. It covers a long span of years and a broad range of topics: late imperial and republican ideas about democracy; the relationship betwen democracy and Communist party dictatorship in China; political rights in various Chinese constitutions; democracy and popular control over bureaucracy; the tension between an open press and a mass media that serves the state; and the abortive democracy movement of 1979–80. Nathan's scholarship is always impressive. One is struck by the wide scope of the research he has done and the many different facets of Chinese political thought that he weaves together to tell his story. I did, however, find the nonlinear treatment of democracy in China

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sometimes confusing. It never was entirely clear to me why the chronology of events moved backwards and forward in time.

A second minor criticism is that the book could have been edited more. The chapters on the mass media did not fit coherently into his discussion of democracy. Also, most of the analysis of the rise of political propaganda in China and subsequent public alienation from it is not entirely germane to the major theme of this book. The core of Nathan's argument is that the idea of democracy in China means something very different from the way we use the term in the West. For the Chinese, democracy is a means of building a strong and modern China. It is a means of mobilizing China's masses to create an unbreakable unity between the people and their nation. In the West, of course, democracy is a means to structure conflict and insure the accountability of government. Nathan links the Chinese understanding of democracy to a passion for unity and fear of divisiveness that has shaped China's political outlook in the twentieth century. Nathan argues that China's intellectuals and political leaders either fail to understand or support the prerequisites for pluralistic democracy, free elections, and a free press, because of the enormous potential for conflict that these institutions can generate.

This is a very good book to the extent that Nathan clarifies the different underlying assumptions of western and Chinese ideals of democracy. The book is much less satisfying when Nathan assumes that our conflict-oriented version of democracy is authentic while the Chinese version, focused on building unity, simply doesn't qualify. How can we be so clear about the meaning of a term that has been used to mean so many different things? Even within a western context democracy has evolved from Aristotle's concept of mob rule to a contemporary vision of an apathetic public with a residual veto to hold public officials accountable. Democracy is a term with a halo. In order to legitimize political action, all manner of actors and behavior are so labeled. Unfortunately, democracy has lost the specificity of meaning that Nathan seeks to invest in it. I appreciate Nathan's sensitive analysis of how the Chinese ideal of democracy has developed. I am uncomfortable, however, with his claim that democrats in China fall short of the mark and must forego use of a sanctified but amorphous term like "democracy."

JOEL GLASSMAN
University of Missouri-St. Louis

The Great Chinese Revolution 1800-1985 *by John King Fairbank. New York, Harper and Row, 1986. 396 pp. $20.95.*

John King Fairbank retired from Harvard in 1977. A towering figure in the building of Chinese studies, his protegés are scattered among colleges and universities so that a decade after his teaching career ended new college students still read Fairbank's books and learn his views from former students. Still and all, their number is declining.

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In the past decade Fairbank coordinated and directed, along with many premier scholars, the writing of the Cambridge History of China volumes. Each volume is defined by a historical period and is composed of a series of commissioned chapters that represent the best scholarship in the field. Not unexpectedly many authors had been students of Fairbank. Using these volumes as his source, Fairbank has written what is surely among the most informative as well as entertaining volumes on China. It commences with the decline of the Qing dynasty in 1800 and concludes with the most recent reforms of Deng Xiaoping in the mid-1980s. The book is divided into four periods: late imperial China up to 1895; the transformation of the old order, 1895–1911 (many of the themes here are in the tradition of the Fairbank and Reischauer volume, *The Great Transformation*); the period of the Nationalist government that is the first Chinese Republic, 1912–1949; and a final segment that surveys the experience of the People's Republic.

What is special about this book? First of all, the volume is very sound, though there are no footnotes. Instead, the reader is referred to the chapters in the Cambridge History. That will do for most people. Secondly, the volume is wonderfully informative for the interested reader, whether she or he be a young student starting to learn about China or the informed public citizen knowledgeable about present day affairs. One example is the lucid description of the examination system in Qing China (pp. 28–32) that will make the contemporary tensions in China seem milder and explain in part how Chinese students over the years have learned to accommodate themselves successfully to the competitiveness of examination programs. This segment will suggest how and why classical knowledge could remain so powerful in contemporary Chinese culture if not in overt Chinese politics. The few pages on footbinding reminds us of Fairbank's insight into powerful customs that impinged on Chinese life. Rarely has the extraordinary pain and suffering been set forth so graphically, accompanied by useful explanation.

Thirdly, it retains a good deal of the foreign policy judgement that appeared in Fairbank's various editions of *The United States and China*. The discussion of the Nationalist government's weakness includes informative paragraphs on the American role in the final civil war struggle. The final section on the People's Republic of China (PRC) discusses briefly the main themes related to the establishment of the PRC government as well as some key issues in modernization. The segment will not be sufficient for a politics course, but it will rapidly educate the uninformed student, providing a baseline of knowledge upon which political scientists can then build.

What limitations are implicit in this volume? Much of John Fairbank's work stressed institutional issues in the China field. He recognizes that social and popular culture approaches are more prominent in China studies these days, but reaffirms his view that the role of institutional studies remains central. Much of the early pages focus upon institutions, but not exclusively. The discussions of the examination system and footbinding belie the fear that he relies only upon institutional studies.

The second view that was often attributed to Fairbank was the belief that study

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of post-1949 China was the realm of the social scientist, who was somehow thought in terms of scholarship and perhaps insight less reliable and academic than the work of the historian. That view is implicit in this book. In reality, however, the history of the final century of Qing rule is as influenced by the contributions of the social sciences as the post-1949 period benefits from the insights of the historians. The scholarship upon which this book rests is evidence of that. This is a fine book in a number of ways. It will serve in a wide range of classroom situations. It will inform the specialist (who may dissent here and there), and the student will learn of historical events as well as aspects of Chinese culture that shaped those historical events. In the year of his eightieth birthday, the publication of this book will insure that another generation of American students will come to respect the work of John Fairbank.

JOYCE K. KALLGREN
University of California, Davis

The SDI Challenge to Europe *by Ivo H. Daalder. Cambridge, Mass., Ballinger, 1987. 183 pp. $19.95.*

The argument of this brief book is that President Ronald Reagan's Strategic Defense Initiative (SDI) is harmful to European security. More broadly, the book is an extended critique from a European perspective of the currently-fashionable American attack on nuclear deterrence and the argument that Mutual Assured Destruction (MAD) should be replaced by a a new superpower strategic system of "defense dominance," in which extensive deployment of population defense systems are coupled with major reductions in offensive weapons.

The core argument is the familiar one that nuclear deterrence has effectively kept the peace in Europe, deterring not only nuclear war but a Soviet conventional attack as well. A world in which the superpowers had highly-effective population defenses might enhance American security, but it would undermine European security, both because there is much less chance for developing effective defense systems for the densely-populated nations of Europe, and because the end of the nuclear balance of terror might "make the world safe for conventional war" (p. 47).

Moreover, Daalder argues, SDI or even mutual defensive deployments would "decouple" American and European security. By restoring American invulnerability, population defenses would restore the basis for American isolationism and lead to a waning of the historical U.S. commitment to defend Europe against Soviet aggression, nuclear or conventional. Finally, population defenses would undermine the effectiveness of the independent British and French nuclear forces. Thus, population defenses would simultaneously undermine extended deterrence (the American nuclear commitment to Europe), the independent European deterrent, and the constraints against conventional attack.

The indictment is a powerful one, and the argument is developed with clarity,

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in a scholarly manner, and with considerable analytical sophistication. Yet, in the end it is quite unconvincing. First, it is sheer fantasy that population defenses might produce a world in which "both superpowers become sanctuaries in war . . . . [leaving Europe] still vulnerable either to nuclear attack, or in the unlikely case that Europe *too* would be covered by an impenetrable shield, to conventional attack" (p. 47, emphasis added). No rational Soviet leader could assume that population defense systems would work so perfectly as to provide "invulnerability" against even British and French nuclear weapons, let alone against American retaliation, the "credibility" of which could not be blithely assumed away. Similarly, no rational American leader could assume that SDI had restored traditional American invulnerability, thus restoring the basis for American isolationism. Invulnerability implies perfect defenses, and no serious analyst thinks that perfect defenses against nuclear weapons will ever by attained.

On the other hand, it *is* possible to imagine a world in which population defenses were reasonably effective against anything but all-out, deliberate superpower efforts to defeat them. European concerns that such a world would increase the dangers of conventional war are certainly understandable and would need to be addressed. Nonetheless, if indeed most West European governments and strategic analysts share Daalder's assessment that nuclear deterrence is the best guarantee of peace, in my judgment they are mistaken. Faith in MAD overestimates the risks of a deliberate, massive Soviet attack on Europe and underestimates all the other risks of war: accidents, technological and human breakdowns, and above all miscalculations and unintended escalation of limited conflicts. Finally, if European governments were truly concerned that any easing of the balance of terror increased the prospects of a Soviet conventional attack, they need only decide to pay the not-unreasonable political and economic costs necessary to provide themselves with an effective, all-European conventional defense. It has been the manifest unwillingness of Europeans to accept these costs that makes it difficult to take seriously the rhetoric about aggressive Soviet intentions and declining American credibility. In short, the argument of the book fails to convince in its two central components: SDI (at least as the Reagan administration imagines it) cannot work; and if it did work, the Europeans would be foolish to resist it.

JEROME SLATER
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The Soviet Union in the Third World: Threat to World Peace? *by Joseph G. Whelan and Michael J. Dixon. New York, Pergamon Press, 1986. 486 pp. $27.50.*

This study was originally prepared by the authors as senior researchers at the Congressional Research Service (CRS) of the Library of Congress for the Committee on Foreign Affairs of the U.S. House of Representatives. It reflects an appropriate balanced avoidance of political bias and a very wide reading of available sources.

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The major virtue of the book is the extensive research and presentation of data, ranging from detailed accounts of Soviet activities all around the Third World to more generalized conclusions based on this detailed survey.

One excusable and perhaps not wholly avoidable fault is the obverse of these virtues: the research is so wide and so neutral that unsubstantiated and often incorrect data are also included. The authors' scholarship and meticulous citation of sources at least identifies and permits the reader's own assessment of these sources, but many readers will be unable to do so. While most readers can readily dismiss reports of SS-20 intermediate-range and other "strategic" missiles in Afghanistan (pp. 71–72), many will not be so able to dismiss reports of Backfire bombers at Cam Ranh Bay (p. 115) and missiles in South Yemen (p. 170), or that the Soviet ambassador to Grenada in 1983, Gennady Sazhenev, was "identified as a four-star KGB general" (pp. 34–42). More basically, while the study usefully presents a mass of background information on actual and reported Soviet activities, that alone is not a sufficient basis for understanding the meaning of those activities.

The major sections of the book were written and published by the CRS between late 1983 and early 1985. For a book published in mid-1986, that would ordinarily not be bad. In this case, the significant changes in Soviet policy under Mikhail Gorbachev since 1985 have already made many of the conclusions of the book of questionable validity in 1987. Brezhnev's speech to the 26th Party Congress in 1981 is cited as the "most recent and most authoritative statement of Soviet attitudes toward the Third World" (p. 18), an attitude summed up as a Soviet "commitment" to activism in the Third World. Yet one of the striking points in Gorbachev's report to the 27th Congress in early 1986 was precisely his greatly reduced and indeed peripheral interest in that region. This is not to fault the authors, but to note the change and the reason why many of the conclusions of the study are not convincing.

The study contains many statements that reflect its general conclusion (and perhaps assumption) that there is "an unrelenting Soviet effort" directed at "its prime target, the Third World" (p. 395). The authors repeatedly write of "deepening [Soviet] involvement in the wars and politics of the Middle East" (p. 394), "threatening and challenging [Soviet activities] in Central America and the Caribbean Basin" (p. 395), and "a new stage of expansion in Asia" (p. 142), all at least questionable assertions. The basic conclusion is that "Soviet ideology plus great power dynamics = Soviet expansionism = conflict with the West" (p. 399).

If the study had examined its subject in the context of global politics, with the interaction of Soviet with American and other actors on the world stage, this kind of one-dimensional focus and exaggeration of *Soviet* activities could have been avoided. The Soviet role needs to be placed in more perspective. Of course the Soviet Union *is* a great power and an active player in the Third World. A study of the wealth of detail set forth in this book was not needed to reach a conclusion that "This study of the Soviets in the Third World tends to confirm a view of continued global pretentions [sic]" (p. 399). But it is in examining these Soviet preten-

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sions, or (to put it more neutrally) global interests, and really examining the question posed in the subtitle, that the work regrettably falls far short.

RAYMOND L. GARTHOFF
The Brookings Institution

Constitutional Reform and Effective Government *by James L. Sundquist. Washington, D.C., Brookings Institution, 1986. 262 pp. Cloth, $26.95; paper, $9.95.*

James Sundquist, Senior Fellow Emeritus at the Brookings Institution, has written this concise, thoughtful, and thorough study of the options for constitutional reform with a specific readership in mind. It is meant to address the concerns of those convinced, as the bicentennial of the Constitution approaches, that the system of checks and balances is no longer adequate to meet the challenges to modern government; that the nation is condemned by a semipermanent condition of executive-legislative deadlock to confusion at best and chaos at worst, especially where foreign policy is concerned; and that only by fundamental constitutional change can the dangerous crisis be resolved.

But *Constitutional Reform* should be of interest far beyond the relatively small circle of advocates of constitutional reform. Sundquist's purpose is to review the major proposals systematically and to assess their weaknesses and strengths and likelihood of adoption. In doing so, however, he moves beyond specific proposals to illuminate not only the extraordinarily intricate balance of the constitutional system but the far-reaching implications of changing it.

Accepting as his premise the assumptions of the advocates for change, albeit without endorsing them, Sundquist points out that although the Constitution has been amended twenty-six times in two hundred years, only two amendments—the seventeenth, providing for the direct election of senators, and the twenty-second, limiting presidents to two terms—have altered the basic structure of our institutions of government. While the system has proved remarkably durable, it was not designed in anticipation of the many challenges of contemporary governance. Our system of executive-legislative checks and balances leaves open the possibility of extended periods of divided and, therefore, stalemated government, with the White House and Congress controlled by different parties; and apart from the arduous process of presidential impeachment on the limited grounds of "treason, bribery, or other high crimes and misdemeanors," the sole mechanism for changing national leadership remains the four-year election cycle.

Balancing historical context, theoretical analysis, and practical political considerations, Sundquist discusses more than a dozen proposals to make the federal government more "effective"—essentially, that is, to strengthen the executive, usually with respect to Congress. These proposals range from the familiar, like those to alter the election cycle by making congressional terms co-terminous with the presi-

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dent's, to the obscure, like the suggestion that a president-elect's party be assigned "bonus seats" to assure House and Senate majorities. They include such continuing issues as the presidential line-item veto, the legislative veto and the War Powers Act, and the less familiar questions of national referenda and executive-legislative dual officeholding.

Sundquist's appraisals are judicious, but the very judiciousness of his analysis tends to obscure the truly incendiary nature of the proposals themselves. Almost without exception they would so alter the fundamental balancing mechanisms of the Constitution as to destroy them. If "effective government" is our concern, we must look beyond theories and diagrams to the very nature of our political system and the underlying social compact. Indeed, a review of the weaknesses of our government is above all a reminder of its strength—strengths not to be compromised by too easy a recourse to constitutional amendment. I cannot accept the notion that the national interest would be best served by guaranteeing a newly elected president a free hand to carry out his program. In view of the experience of the past several years, and most dramatically of the past few months, David Stockman's complaint about the "political division and policy conflict within our governmental institutions" (p. 251), which Sundquist quotes, has a very hollow ring.

PAUL S. SARBANES
United States Senate

Regulating Government: The Positive-Sum Solution *by Dwight R. Lee and Richard B. McKenzie. Lexington, Mass., Lexington Books, 1987. 192 pp. $22.95.*

If you think the federal deficit is too high and that existing or contemplated institutional restraints on deficit spending are too weak, you will be intrigued by the authors' proposal to tie Congress members' salaries to the size of the annual budget deficit. Their hypothetical "deficit-pay schedule" starts salaries off at a base $300,000 and subtracts $75,000 for every $50 billion worth of the actual deficit in the preceding fiscal year. This could cost us over $100 million a year in increased Congressional salaries, but the public policy benefits might be cheap at the price.

If forty years ago radical social critics gravely proclaimed the need to nationalize the means of production, today equally radical critics proclaim the slogan of a "deficit-pay schedule" for Congress. But while Marxist ideologizing was based on a thoroughly unrealistic understanding of how society works, its conservative-populist counterpart, well represented by Lee and McKenzie, seems to me a lot more insightful and closer to the truth. The conservative-populist theory holds that a variety of well-organized special interests use governmental power to extract economic "rents" from whomever is less well organized. This pluralist presumption is a lot more realistic than the Marxist presumption that only "the capitalist class" was benefited by government. But even smarter is the implication that we can, and probably do, all steal from each other, since there is hardly a citizen who

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is not, for some purposes, part of a well-organized minority coalition and, for other (probably most) purposes, one of the disorganized majority. The tools of burglary are many and varied. Subsidies flow to farmers, real estate developers, and students, among others. Regulation works to protect established producers from innovators, domestic producers from foreigners, and high-cost producers from low-cost producers. As a purchaser of goods and services, the government is insatiable. And as an employer, it provides jobs not only for favored nephews and ethnic groups but for numerous local and regional labor pools.

This account is not particularly original in the sphere of economic interests, nor is it as flavorful as, say, David Stockman's in *The Triumph of Politics*. It is somewhat more interesting on the subject of what might be called psychic interests. In a fine section headed "Creating Malice by Rewarding Virtue" the authors postulate that because private interests gain competitive advantages by donning the cloak of public virtue, "Issues tend to become conflicts over principles—philosophic, aesthetic, even theological—that must be decided categorically, with little sentiment for compromise on either side" (p. 89). They adduce examples of environmentalists attacking energy developers, gasoline consumers in different regions fighting for gasoline supplies rationed by the federal government, the young competing with the old over the level of Social Security benefits and taxes, and creationists and evolutionists (among others) bloodying each other over public school curricula.

Lee and McKenzie contrast the zero-sum and negative-sum conflicts in the political realm with the positive-sum relationships they see in the realm of private economic exchange. Friedrich Hayek is their inspiration and guide. They effectively summarize the powerful arguments advanced by Hayek and others on behalf of free markets: they are protectors of liberty, engines of wealth, and guarantors of a morality of social cooperation.

As a primer of conservative populism, this book is more than adequate. And since I think its message is generally worthwhile and greatly underappreciated in academia, I also recommend it. It does, however, have some serious deficiencies. Its ideological bias suppresses any mention of the good that government can and does do; it focuses only on the costs. For instance, it does not observe that the American welfare state has nearly ended poverty among the elderly and has made access to medical care for all ages much greater than it was twenty-five years ago. It rails at the budget-busting expenditures of the social welfare entitlements but mentions not a word about the defense budget.

From a scholarly point of view, it does not advance a coherent explanation of why the special-interest state has grown as large as it has. It puts a lot of weight on deficit financing and the willingness of voters to buy benefits now and push costs onto future generations. But the large federal deficits are a recent phenomenon, whereas special-interest government is of much longer standing. Moreover, even in states with balanced budget requirements, government has grown.

EUGENE BARDACH
University of California, Berkeley

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Child Care: Facing the Hard Choices *by Alfred J. Kahn and Sheila B. Kamerman. Dover, Mass., Auburn House, 1987. 273 pp. $26.00.*

This book provides additional evidence that although never intended by the Reagan administration, federal spending cutbacks, decentralization, deregulation, and privatization in child care have actually accelerated policy development at the state and local level, in school systems, and in the private sector as well. The authors demonstrate, with extensive descriptions and examples, how in many parts of the nation there has been an extraordinary energy, creativity, advocacy, and commitment to a better way of providing child care. And if we have not yet systematically developed a coherent approach, there are many signs that individuals and groups are hard at work to improve the condition of children, and in doing so, to bring the United States closer to a better developed, more systematic, program of child care. Thus, despite what might easily be a book written in a spirit of despair, Kahn and Kamerman have given us a book that pays tribute to the dynamic quality of so much good work that is being done in so many communities in America. It anticipates the coming of national change for the better.

The United States is at a particularly critical time in the child care field. Child care is a growing business and an urgent need, made so in large measure by the entry of so many mothers into the labor market. The process has been a rapid one, and it has come at a time of retrenchment in domestic spending at the federal level and in many states and localities as well. The authors examine in depth how the child care movement has grown in the 1980s. They examine local and state activities, which have seen the development of so many different models. They talk of the "inventions" of new policy and programs, often quite admiringly. Of special note are the developments in Massachusetts, the state where the greatest coherence of policy has occurred.

They present extensive treatments of privatization, the development of school initiatives in child care, day care in the work place, and family day care. Their command of the subject is outstanding and the trends are refined with great skill. The authors, professors at the Columbia University School of Social Work, in the tradition of their school and their discipline, argue for greater government intervention in the development and implementation of child care policy. They are critical of trends that ignore the implications of poverty and that put aside considerations of equity, which they feel good public policy should promote. They are critical of policies of deregulation, which they feel put children's welfare and safety at risk, and they are wary of school system dominance of child care services for "preschoolers" for the narrow focus that school officials tend to have. They know that the private-sector commitment to child care is modest, and they see the family care option as essentially too sacrificing of quality. They are most skeptical of market forces as shapers of the real preferences of parents. They want to spend more for child care, but they want to spend it well. They realize that an unregulated child care system is less expensive, that a system that limits access or limits choice is going to cost less. And they are forthright with their policies and prefer-

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ences that lead to spending more. Spend more to broaden the role of schools. Spend the money accountably, but the greatest accountability for Kahn and Kamerman is the accountability of the government to its citizens, not of its bureaucrats to its taxpayers.

FRANK J. MACCHIAROLA
Academy of Political Science

Why We Lost the ERA *by Jane J. Mansbridge. Chicago, University of Chicago Press, 1986. 327 pp. Cloth, $35.00; paper $9.95.*

Jane Mansbridge presents not only a masterful case history of the unsuccessful fight to have an equal rights amendment (ERA) added to the Constitution; but she also offers a valuable case history of the difficulties any movement is bound to encounter which seeks to alter long-engrained social patterns. Such an attempt to be successful has to rely on a new national consensus; otherwise an opposition—no matter how small—is likely to thwart it by playing on the public's fear of change and the unknown.

Essentially three different "lessons" can be learned from the book. One concerns the ERA; the other the pervasiveness of American traditionalism; and the last the nature and limits of voluntary organizations engaged in a struggle to challenge the status quo. Mansbridge persistently and convincingly makes the case that for all practical purposes the ERA would not have greatly ameliorated women's situations. Moreover, court decisions had by the 1980s actually gone beyond ERA provisions to secure certain rights for women.

Nonetheless the public—men and women—favored its ratification as poll after poll indicated. Thirty-five states quickly—often without much debate and by wide margins—voted for ratification. Why then did the ERA go down to defeat? One reason Mansbridge offers is that most Americans, though favoring equality in the abstract, did not really want to change the traditional pattern of gender relations. "This book has documented the depth of American traditionalism even in the midst of change" (p. 188).

Another reason for its demise can be traced to the very nature of the ERA movement in particular and to most other movements that have to rely heavily on the labor of volunteers to reach their political goals. Those who actively worked for it—carrying the message to the public and the legislatures—believed (or were led to believe by lawyers who supported ERA) that ERA would have far-reaching consequences and would fundamentally alter gender relations. They were ideologically committed to genuine egalitarianism. By making extreme claims for ERA, they actually damaged ratification chances in that the opposition used these claims (women in combat, abortions on demand) to frighten the more traditional public. The leadership of ERA did little to restrain local groups because it lacked the coercive power to do so, which comes from a strong central organization and a stable

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membership. To keep fighting against all odds, it had to rely on the enthusiasm of its volunteers, and that enthusiasm was nourished by ideological conviction. Mansbridge seems to suggest—although I am not yet convinced—that the volunteers' support and enthusiasm would have evaporated had they known how little change ERA would actually have brought. But her analysis of advantages as well as liabilities of organizations that have to rely on volunteer support offers a valuable and provocative lesson for all movements bent on bringing on major social change.

Another lesson to be derived from Mansbridge's analysis—although I am not sure she would want to draw it—is that organizations that deliberately refrain from organizing themselves hierarchically (as was true of ERA groups) have the potential to weaken themselves politically because they cannot prevent local units from making "decisions by accretion." Such decision making can hurt the cause and make the negotiating of political compromises difficult.

In spite of the failure to get the ERA ratified, Mansbridge feels the fight was wórth the cost, because it politicized women—both feminists and anti-feminists. On balance, "the ratification struggle probably increased the energy and resources available for other feminist causes rather than harming those causes" (p. 191). Personally I am somewhat skeptical of this optimistic appraisal. Currently many feminist activities, far from promoting feminist causes, have to spend much of their energy warding off erosion of rights that once seemed securely won. This qualification notwithstanding, Mansbridge's analysis of the ERA fight is a significant and insightful piece of literature on the topic, beautifully supported with a wealth of footnotes. But it is more than that, it is an object lesson of what can go wrong when social movements seek to challenge the status quo. As such the book's significance goes well beyond *Why We Lost the ERA*.

ROBERTA S. SIGEL
Rutgers University

Public Opinion & Collective Action: The Boston School Desegregation Conflict
by D. Garth Taylor. Chicago, University of Chicago Press, 1986. 241 pp. $29.00.

The organized, massive resistance by Bostonians to court-ordered busing in the 1970s is one of the more conspicuous incidents of collective political action in the United States in the past quarter century. This excellent book draws skillfully from a number of fields—public opinion, social movements, community conflict, and political participation—to explore the causes of collective action in racial politics and to explain what accounts for the unusual, concerted public response to school desegregation in Boston.

In his opening analysis of the beliefs that justify, in the popular mind, opposition to mandatory desegregation, Taylor shows how deeply rooted these beliefs are in American legal and social history. Working through a discussion rich with

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historical perspective on school desegregation and civil rights law, the reader comes to appreciate how those who argue that mandatory desegregation is socially harmful and unjust find precedent and justification for that position in past judicial decisions, legislative actions, and political pronouncements. Taylor explores the doctrines of social inequality (at root, the notion that blacks are inferior to whites) and voluntary compliance (the belief that segregation is illegal but that desegregation should be voluntary).

We discover, with Taylor's guidance through the survey data from a five-wave panel study of white adults in Boston neighborhoods, that "the rejection of the doctrine of social inequality is more complete in Boston than in other comparable American cities" (p. 45), and are thus set up for the intellectually interesting paradox he poses for our consideration: "What needs to be explained is why public resistance to mandatory desegration is so strong when public support for the doctrine of social inequality is so weak" (p. 50). Taylor's answer is that the potentially massive constituency for antibusing fervor in a community does not stem from a dominance of white supremacist attitudes. It stems from widespread opinions, whipped up by the antibusing leadership in the community in an effort to build their constituency, that busing is unsafe and, more importantly, unjust.

The second half of the book analyzes various political factors and processes that determine whether public dissatisfaction with busing remains a matter of uncoordinated, individual discontent (as in most cities), or whether it develops into "a collective assault on mandatory desegregation" (p. 4), as it did in Boston. In these subtle and sophisticated chapters that combine a good feel for Boston politics with a firm command of more general patterns, Taylor gradually unveils for the reader the factors that rendered the antibusing movement in Boston better organized and more resourceful than similar movements in other cities. Among them are: the reproduction in the desegregation struggle of the deep, longstanding Yankee-immigrant political conflict in Boston over the administration of city services; the unintended ways in which the resources of the Catholic church as a community organization helped amplify the opinions and actions of antibusing leaders; the lack of consistent support for desegregation at higher levels of government, which rendered Mayor Kevin White politically vulnerable and induced him to enunciate support for the doctrine of voluntary compliance "by encouraging the belief among protesters that their actions might one day be effective and by avoiding actions that would publicly identify his office with the desegregation plan" (p. 139).

Of a book that is otherwise so admirably crafted, it is a shame to have to point to one irksome flaw (a tendency on Taylor's part to underestimate his reader) that is manifest in at least two ways. First, the book is too chockfull of signposts for the reader. It is as if the author has taken too much to heart his high school writing teacher's admonition to "tell the reader what you're going to say, say it, and then tell the reader what you've said." There is altogether too much of that sort of thing in this book; the internal references to what will be said or has been said in other chapters are ultimately distracting. Second, although this is a book likely to be read, frankly, only by scholars already quite conversant with reading data from

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tables, Taylor talks down to his readers by insisting on explaining in detailed prose even the simplest and clearest tables: "The first row of figures shows the percent . . . . The second row shows the percent . . . ." (p. 47, for example).

Still, these are quite minor defects in a book that is really very accomplished and of great interest to sociologists as well as political scientists. It illuminates a major episode in the history of American school desegregation, and it skillfully combines analysis of survey data with historical narrative to explain the interaction of complex social and political forces. This is a book that deserves to be widely read by anyone interested in public opinion, political movements, or racial politics.

JOHN T. TIERNEY
Boston College

American Choices: Social Dilemmas and Public Policy since 1960 *edited by Robert H. Bremner, Gary W. Reichard and Richard J. Hopkins. Columbus, Ohio State University Press, 1986. 272 pp. $30.00.*

Difficult to believe, but we have now come as far in time from John F. Kennedy's inauguration as JFK was from Franklin Delano Roosevelt's first term. If it does not seem that long ago, perhaps it is because we are still struggling to understand what the terrible decade of the 1960s did to us. In this collection of essays nine authors chronicle the main events of the last twenty years in their particular subfields.

The subjects covered are poverty, civil rights, the women's movement, federal aid to education, "the nuclear question" (strategic doctrine, nuclear energy, and arms control), economic policy, energy policy, the world economy, and a personal epilogue on the Vietnam generation. Apparently additional chapters on crime, immigration, and aging were planned but not produced.

Students interested in a particular subfield may find the various chapters to be a convenient compendium of information and sources. The historical interpretations that are offered will strike most readers of this journal as quite conventional, while the more committed supporters of the current administration will probably object to the liberal, anti-Reagan tone that appears from time to time (most of the accounts stop in 1983).

Taken as a whole, the volume is a disappointment. The editors do not appear to have asked the essayists to address any common set of analytic questions, nor in fact to take account of what one another was writing. Some chapters (civil rights) begin abruptly with 1960, while others (the women's movement) are in pains to place developments in a longer historical cycle. Since this is a companion volume to an earlier edited work *Reshaping America: Society and Institutions 1945–1960*, the general inattention to creating a logical order of chapter topics with shared pre-1960 references is lamentable. The lack of a strong editorial hand is also evident in several very weak chapters.

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There are at least two bright spots. In a very well written chapter on federal education policies, Ronald Lora ably describes the immense changes that occurred in this area and penetrates the context that made these changes possible. As he shows, the limited results of these reforms become understandable only when we recognize that our education policies were not mainly concerned with education. Ellis Hawley's chapter surveys the ongoing debate about the federal government's role in the economy. While one might have wished for a fuller presentation and interpretation of the economic data itself, Hawley's discussion offers a splendid and balanced overview of a subject where partisanship often clouds our vision.

HUGH HECLO
George Mason University

Redefining the Supreme Court's Role: A Theory of Managing the Federal Judicial Process *by Samuel Estreicher and John Sexton. New Haven, Yale University Press, 1986. 201 pp. $20.00.*

The substitution of a new role for the Supreme Court of the United States is the central recommendation of this book. The new role, it is argued, should be that of manager of national lawmaking. The old role, to be rejected, is that of corrector of errors. There is a straw man quality in this dichotomy, which the authors admit. Having stated the distinction between roles they hasten to assert quite correctly that the conception of the Supreme Court as error corrector is largely a myth. The authors then proceed to a series of well-reasoned and empirically sound evaluations of the variety of recommendations for controlling the Supreme Court's caseload. This, in turn, is followed by a description of the authors' alternative recommendation—the managerial theory—and of the data and analysis they provided in support of their proposal and in rejection of those of others. The great strength of the book is its rigorous empirically-grounded assessments of the alternative caseload control proposals and of several of the real or alleged causes of the caseload crisis. Its greatest weakness is its unproven assumption that the managerial theory affords a clearcut solution to the crisis.

Redefining the Supreme Court's Role is organized in twelve substantive chapters and two data analysis summaries provided in two appendices. The authors brought impressive academic experience as professors in New York University Law School, as researchers, and as former law clerks to members of the Supreme Court of the United States.

Chapter 1 provides a brief but provocative statement of the nature of the problem, as defined by the authors. Chapter 2 summarizes in very general terms the major developments in the evolution of the current federal judicial structure and organization, largely restating a number of conclusions of Felix Frankfurter and James Landis's early definitive analysis of 1927. Chapter 3 concisely summarizes the variety of post-1969 recommendations for Supreme Court and inferior federal judi-

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ciary workload reform, and Chapter 4 defines the parameters of the modern congressional, professional, and judicial debates on the subject. Chapter 5 attacks, on the basis of empirical evidence, the manner in which reform-oriented assessments of the Court's workload are made. Chapters 6, 7, and 8, in chronological order, treat a full statement of the author's rationale for the managerial model of Supreme Court caseload management, an examination of the case selection criteria considered consistent with this model, probable criticism of the model, and criteria application. The section on probable criticisms may be viewed as an act of academic preemptive defensive counterattack, but its inclusion does not seriously weaken these and other criticisms of the managerial model.

Few would seriously quarrel with the author's discussion of the concept of a priority docket consisting of a "set of cases that the Supreme Court should hear without awaiting further percolation" (p. 52). The categories of cases included in the recommended priority docket are essentially similar to those recommended in most previous caseload reform efforts. As such, there is little quarrel with such items as "resolution of intolerable intercourt conflicts" (p. 53), "conflict with Supreme Court precedent" (p. 59), "resolution of profound vertical federalism disputes" (p. 60), resolution of "interbranch," "interstate" disputes (pp. 61 and 62). But inclusion of "significant interference with federal executive responsibility" (p. 63) in the absence of a countervailing significant interference with federal legislative responsibility suggests an ideological bias favoring executive ascendency.

Chapters 9, 10, 11, and 12 comprise a critique of contemporary Supreme Court review granting policy from the perspective of the managerial model, a very able critique of proposals for a new intermediate appellate court, a discussion of the managerial model, and a concluding analysis of the problem. The analysis is provocative but not entirely convincing.

JOHN R. SCHMIDHAUSER
University of Southern California

The Art of Political Manipulation *by William H. Riker. New Haven, Conn., Yale University Press, 1986. 152 pp. Cloth, $18.50; paper, $6.95.*

The nicest thing about William Riker's book is that it takes the pressure off the political consultants of today who are accused of being the originators of political manipulation. This so-called art of manipulating people and events for one's own benefit is, however, of interest to politicians and political enthusiasts alike. Through a series of twelve true political anecdotes, William Riker examines how manipulation has been used through the ages as an effective political tool. Riker has coined the term "heresthetic," which is as difficult for me to pronounce as it is to understand, to refer to this kind of manipulation. Derived from the Greek word for choosing or electing, heresthetic is closely related to rhetoric, or verbal persuasion; however, heresthetic is about "structuring the world so you can win" (p.ix).

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Riker's thesis is interesting and provocative; unfortunately, it suffers from lengthy mathematical analysis and too little practical information for interested students of heresthetics. Also, there is something awfully "cute" about the theoretics of heresthetics.

The title of this book is somewhat misleading. Riker writes that heresthetic "is an art, not a science. There is no set of scientific laws that can be more or less mechanically applied to generate successful strategies" (p.ix). This statement is convincing enough but Riker proceeds to negate it throughout the text. In nearly every example he breaks down the dynamics of the story to its mathematical analogues and proceeds to demonstrate how different factors will result in predictable outcomes. Riker's biography notes that he is, in addition to being a political scientist, a game theorist, which the book aptly demonstrates. While the charts, diagrams, and equations are sure to interest some readers, they deprive the book of a more revealing and intriguing discussion of why these people made the choices they did and how we can learn, and perhaps even imitate, their examples.

There is also a tendency in the book that I think most political scientists and historians fall into, that of the "master stroke," such as the Lincoln-Douglas gambit making the difference in the Lincoln-Douglas race. In thirty years of experience in the business, only political scientists, historians, and newspaper people believe in the "Big Bang" theory of politics. Unfortunately, for the most part, it is a process of long hours and hard work. In his acknowledgements Riker notes that most of the stories were worked out in the classroom. I can see where this book would be a useful tool for political science classes; however, for the interested reader without the benefit of classroom instruction or discussion, too much plot summarization and diagraming dampen one's urge to continue reading.

The following paragraph is an example of Riker's writing and thinking at his best. Indeed, this is the most enlightening passage in the book because it explains the motivation behind the heresthetician's actions: "[The heresthetician's art] is experimental, because if any experiment fails, he goes on immediately to the next. It is often fleeting, a quick foray, intuitively designed, not a deeply well-worked out plan. But there do seem to be some regularities about it. The heresthetician thrives when he is losing because he is driven, it seems, by an intense desire to win. . . . There is an aura of opportunism over it all" (p.51).

When Riker explains the motivation behind the heresthetic, as in the above, the book is challenging and informative. His gathering and reporting of timeless examples of the heresthetic in action are also commendable. However, few students of political science, or even politicians, will find useful hints for practicing heresthetics themselves, but will only be able to stand in awe of Riker's examples. Perhaps this is his intention. It is a shame, however, that with his enjoyable prose and obvious knowledge of his subject that Riker's book works best only in the classroom and not in the politician's hands.

DAVID L. GARTH
The Garth Group

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The Politics of Policy Making in Defense and Foreign Affairs: Conceptual Models and Bureaucratic Politics *by Roger Hilsman. Englewood Cliffs, N.J., Prentice-Hall, 1987. 326 pp. $18.95.*

This book adds to the corpus of a leading scholar in the field of U.S. government decision making. Formerly an assistant secretary of state in the Kennedy and Johnson administrations and now a professor of government at Columbia, Roger Hilsman was part of the "first wave" of theorists who analyzed decisions within the framework of the governmental process. His 1967 *To Move a Nation* strongly influenced the "second wave" of theorists, including me, who codified the Model III bureaucratic politics paradigm. In this latest book, he expands and updates the 1971 edition of *The Politics of Policy Making in Defense and Foreign Affairs* by surveying in greater detail the concentric rings of political power in Model III. Although offering little that is new in terms of theory, the result provides a successful introductory overview of the U.S. foreign and defense policy process.

Hilsman begins with seven short case studies, ranging chronologically from the Cuban missile crisis to Soviet arms shipments to El Salvador. Each illustrates how the same event can have alternative explanations, depending on the analytical approach employed. Next he presents his political-process model, which examines the roles, goals, and power of "different individuals and organizations involved in the policy-making process" (p. 82). He reviews other decision-making models and then applies the political-process model to the seven cases. The bulk of the book describes what he sees as the key centers of power: an inner ring of the president, his staff, political appointees, Congress, and the bureaucracy; a second ring of the press and interest groups; and an outer ring of public opinion and the electorate. He ends with a brief review of foreign and defense policy issues, the relative influences of power centers, and weaknesses of the policy-making process.

As often happens when such a broad topic is covered, the picture here is distorted in spots. For example, Hilsman's brief analysis of the bureaucratic model simplifies and then dismisses the concept by neglecting the emphasis placed by its exponents on values, personalities, and skills (pp. 77–78). In effect, the political-process model seems to be an amalgamation of the bureaucratic model and the organizational-process model (Model II). The model fails to show how the various power centers fit together. Hilsman provides an accurate snapshot of each one, but does not illustrate how they move together in a dynamic process. By concentrating on each center as a separate sphere, the importance of the interaction among them becomes blurry. The inclusion of political appointees, interest groups, public opinion, and the electorate as distinct power centers rather than indirect influences extends this problem. The book relies too heavily on old sources and sometimes repeats itself; for example, the story of General Matthew Ridgway and Vietnam is mentioned no less than six times.

Nevertheless, the book makes an important contribution. Hilsman does a good job of characterizing each of the power centers and their influence on policy. His prose is crisp. He skillfully combines descriptions, statistics, and colorful anec-

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dotes. Although they are tantalizingly brief, the seven case studies show how conceptual models can both clarify and distort. The recent Afghanistan, Iran, and El Salvador cases are of particular interest. In addition, the last chapter, "Can the American System Cope?" raises cogent concerns about the wide diffusion of power in our democracy. These strengths make the book a useful introduction for a student approaching U.S. policy making.

GRAHAM T. ALLISON
Harvard University

A Melting Pot or a Nation of Minorities *edited by W. Lawson Taitte. Dallas, University of Texas at Dallas, 1986. 205 pp. $16.50.*

The theme of this collection of seven published papers surely remains as timely as ever, even if the metaphorical title phrase is inadequate to the book's contents. Originally presented at the University of Texas at Dallas in November 1985, the seventh annual Andrew R. Cecil Lectures on Moral Values in a Free Society were primarily intended for the general public. The lecturers made only modest efforts at the kind of research that would have lent scholarly depth to their concern over the relationship of the American credo to the problem of equality. After the most revolutionary epoch in the whole history of American ethnic and race relations culminating in the 1960s and early 1970s, expectations could not be sustained. Exhortation and good law must be accompanied by a change in "the hearts of individuals" (p. 29), as Andrew Cecil puts it. In the post-race revolution era, much has been problematic as the authors make evident from their varied perspectives.

Regrettably, this loosely organized volume is long on rhetoric and short on close empirical analysis. More than 30 percent of the book is given over to Cecil's lecture, "Patriotism as a Unifying Force," which simply does not say enough about the character and history of American nationalism in its relationship to the history of liberty and to the variegated ethnic mix of our nation. Lacking a clear focus projecting the complexity of American society, the authors write of "minorities" when they mean blacks in particular. In "Demographics, Democracy, and Education," Robert L. Payton refers vaguely to a larger ethnic and multicultural America, even invoking France, the Soviet Union, Islam, and the United Republic of Cameroon by way of comparison. Daniel Inouye seems basically optimistic in his brief paper deploring the "social and economic divisions which mirror racial borders" that "are increasingly treated as inevitable" (p. 49).

The essay most central to this book is "Equality in America: Democracy's Challenge." John Hope Franklin focuses on the historic struggle of blacks to gain an equal place in law denied them by the Constitution, given and then taken away from them after the Civil War, and only recently restored. Like Inouye, Franklin is dismayed by the long way still to go in the 1980s and the indifference of federal

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officials and public opinion to the plight of so many blacks. But he offers no specific remedies.

The book's last two essays by Stanley M. Johanson and Harvey Mansfield, Jr. argue the pros and cons of affirmative action without quite addressing one another. Mansfield questions the very ideas of affirmative action. He argues that the decline of racism, the success of the Civil Rights Movement, and the passage of the Civil Rights Act of 1964 have in fact produced equal opportunity and that affirmative action promotes what Charles Murray has called "the new racism" by imputing that blacks are inferior and therefore require special preference. By contrast, Johanson, focusing specifically on the legal profession, where minorities have been sorely underrepresented, contends that more of them must be admitted to law school, as they would have until recently when admission policies have become formalized and rigid. If minorities are not admitted, Johanson argues persuasively, they will be denied a reasonable share of the disproportionate power and influence that lawyers exercise at all levels of society.

MOSES RISCHIN
San Francisco State University

American Public Opinion toward Israel and the Arab-Israeli Conflict *by Eytan Gilboa. Lexington, Mass., Lexington Books, 1986. 366 pp. $34.00.*

For good reasons this is a splendid book. Those of us who are not historians of the recent past and the present have here what appears to a non-historian to be an adequate, detailed account of the political, diplomatic, and international events since the founding of Israel in 1948. The portrayal, written by an Israeli lecturer at the Hebrew University of Jerusalem and Israel's National Defense College, strikes one as being calm, unprejudiced, and for the most part objective. As the title suggests, available survey data are utilized concerning the *reactions* of samples of Americans to those events—the reason for italicizing reactions will be patiently explained below. The data are almost always offered in convenient tables or graphs that reveal the names of the companies (Gallup et al.) and academic groups (such as NORC) that collected them, the wording of the questions, the responses, and, when possible, trends over time. We know, to take a random example, not only what happened during the Six-Day War of 1967 but also that this "war created an unprecedented wave of U.S. public sympathy for Israel" (p. 46). Hereafter the polls, having been interwoven with the events, must be mentioned by historians of the period, and pollsters will know the historical context in which their polling functioned.

The book contains much more. Separate sections are devoted to U.S. sampling appraisals of the Palestine Liberation Organization (PLO) and Palestinians, as well as the views of American Jewry. The relevant opinions of journalists and so-

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cial scientists, especially political scientists, are referred for verification to the polls. Simple but sensible tables are offered to enable lay readers to calculate sampling errors and even to determine whether differences between percentages are statistically significant. The subsequent correction of a factual error in question phrasing is noted (p. 194). Secondary analyses based on demographic factors are suggested, though the data are somewhat sparse.

In spite of his methodological sophistication, Gilboa carelessly writes "American public opinion" as if the survey results were as accurate as a barometer. He flatly states that "the U.S. public grew impatient" regarding the hostages in Iran (p. 161). On occasion he praises "public opinion" as being "sensible" (p. 54). Of course his tables again and again display percentage differences provided by various pollsters, which understandably he has neither the time nor space to explain. By and large, however, when variations in question wording are negligible, the specific findings of the pollsters are very similar.

The political assumption concerning the surveys is that they followed events. In the text the verbs reporting or discussing the findings are words like registered, found, revealed, gauged, asked, examined, employed, conducted, expressed, thought, felt, said, etc. Polls, consequently, are considered to be passive instruments: they register, find, and so on. But we know, don't we, that political leaders and lobbyists also use survey data to assist them in achieving their own ends; otherwise they would not conduct their own private polls or secretly pay commercial organizations to include questions of interest to them or their clients. Gilboa is aware of the power of polls, yet he does not present a shred of evidence to substantiate his contention that "American public opinion played a significant role in major Israeli military decisions" (p. 74), that Reagan's awareness of a particular handicap came from surveys (p. 153), or that—in a concluding assertion—his "book has demonstrated that American public opinion has had some effect on U.S. policy in the Middle East and on certain critical Israeli policies" (p. 320).

How could the one-sided approach of the author have been avoided? He would have had to possess inaccessible information: the private reactions of officials, the role played by polls during confidential policy discussions, the emphasis of leaders on leading or following their constituents, and their private gut feelings (not their public statements) toward Israelis, Arabs, the Soviet Union, and war-peace. The complete cause-and-effect sequences we may never know, even when the memoirs and books are published and other reports are made public. At this moment, however, the author has offered a definitive framework in which to use surveys as a part of history and not merely as isolated curiosities displayed by the mass media.

LEONARD W. DOOB
Yale University

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Takings: Private Property and the Power of Eminent Domain *by Richard A. Epstein. Cambridge, Mass., Harvard University Press, 1985. 362 pp. $25.00.*

"[T]he system of limited government and private property is not elastic enough to accommodate the massive reforms of the New Deal or those reforms that preceded or followed it" (p. x). "[M]y position invalidates much of the twentieth century [economic and social] legislation . . ." (p. 281). Some may too quickly dismiss a book whose conclusions are so far reaching. But that would be a serious mistake, for Richard Epstein has written an intellectually powerful volume that carefully, systematically, and rigorously reaches just those conclusions.

Epstein's analysis of the Taking Clause of the Constitution (Amendment V) operates at numerous levels. First, the political theory underlying the Constitution conditions its meaning. The Constitution's purpose is to curb Hobbesian man, but its assumptions and means are Lockean. Rights are natural; they do not derive from a Hobbesian sovereign. Lockean government is limited and its key premise, Epstein argues, is that government can acquire no surplus value in the exercise of its power (especially its distinctive power to compel forced exchanges of property). "[T]he state's rights against its citizens are no greater than the sum of the rights of the individuals whom it benefits in any given transaction" (p. 331). The Taking Clause is the textual embodiment of that limit.

Second, *Takings* is perhaps the fullest and best reasoned piece of a growing literature by a small, but intellectually impressive school of conservative legal scholars seeking to revitalize property rights under the Constitution. These scholars are not allied with the judicial restraint of the Reagan administration and Chief Justice William Rehnquist. Rather they are judicial activists who insist that their activism is a text-bound and text-limited jurisprudence to protect property rights. This is an economic rights activism that sounds of Justice Hugo Black's text-bound civil liberties activism.

Third, Epstein demonstrates the intellectual power that emerges when traditional legal reasoning is merged with the economics-and-law methodology that has become prominent in several law schools. Readers will find this densely reasoned book, employing these two distinctive methods of analysis within a framework of political philosophy, slow and difficult reading, with many chapters—though concise and clearly argued—requiring repeated readings for full appreciation.

Fourth, the broadened scope of the Takings Clause advanced in this volume also requires extensive reconsideration of the concept of the police power, the commonly used modern justification for the regulation and restriction of property rights. Epstein rejects the modern definition of the police power as any legislative action advancing the health, welfare, safety, or morals of the community. Since government can have no greater power than the aggregate of individual rights, the police power should be narrowly defined as the power to prevent acts harmful to a large segment of the community—that is, the same right that an individual has to take preemptive action against harms threatened by another. Takings to advance this narrowly defined police power are not compensable. But other takings

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that simply provide a public benefit would come within the Takings Clause. One whose property is taken by government for the general public benefit has the same right to be compensated as he would if his fellow citizens, acting privately, banded together to acquire his property for their benefit.

Consequently, zoning and similar direct regulations of property will, for the most part, become compensable takings. The regulation of traditional nuisances, by contrast, are exercises of the police power. Not immediately clear is that most economic regulations will also come within Epstein's definition of the Takings Clause. Price controls limit the right to dispose of property, without compensation for the seller, even though the other incidents of ownership are retained by him. Workers' compensation laws require the employer to give up some of his property without any finding of fault. But here there is some implicit compensation for the employer: he is protected against liability lawsuits and he can vary the offered wages to take into account his work compensation insurance costs. But Epstein concludes that there is no appropriate way to determine whether there is a proper fit between the taking and the implicit compensation; and there are also opportunities for the parties to enter into contractual arrangements for compensation for injury, so there is no police power basis for action here.

By similar reasoning, wage regulations and collective bargaining laws fall under the Takings Clause. More startling is Epstein's reasoning that brings windfall profits taxes, severance taxes, and progressive income taxes within its purview. Each takes property, of course. But there is no appropriate compensation for these takings because the taxes are not proportionate to the government service benefits received by the taxpayers.

These examples suggest the scope and power of Epstein's reasoning. For each governmental action, a complex of factors must be considered: Is there a taking? Is there a justification for it that conforms to constitutional standards? Is it for police power or public use purposes? Is there just (that is, full, proportional) compensation either explicit (by direct payment) or implicit (by benefits received)? Applying such reasoning, a vast segment of modern governmental regulatory and taxing schemes becomes unconstitutional takings.

Hence, Epstein virtually restores the effects of the pre-1936 doctrine of substantive economic due process and goes beyond with respect to taxation. But these sweeping limits on governmental power can now rest on a specific constitutional text, the Takings Clause. And they are based on much clearer constitutional theories derived from Lockean political thinking. In this new form, these limits on governmental power are intellectually more persuasive and constitutionally more plausible. Epstein's book—though at odds with most modern political thinking—commands a careful and respectful reading even from those who, like this reviewer, are supporters of the modern constitutional regime in economic affairs.

DAVID ADAMANY
Wayne State University

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Braking the Special Interests: Trucking Deregulation and the Politics of Policy Reform *by Dorothy Robyn. Chicago, The University of Chicago Press, 1987. 295 pp. $24.95.*

Dorothy Robyn's tale of the passage of the Motor Carrier Act of 1980 is unexpectedly comforting to economic analysts with an interest in policy reform. Grown used to stories of political obscurantism and devotion to narrowly-based geographical or industrial interests in both Congress and the executive branch, one finds, instead, in Robyn's book, a tribute both to the power of substantive arguments in furthering broad-based consumer interests and to the value of wide-ranging coalitions in lobbying for legislative change.

Her rather optimistic and upbeat report (for policy analysts, not, of course, for Teamsters), however, must be seen in the context of the special set of circumstances that made legislative reform possible in spite of the undoubted political clout of both the American Trucking Association (ATA) and the Teamsters. The most important factor to my mind is the change in the status quo brought about by the deregulatory mood at the Interstate Commerce Commission (ICC). Policy and personnel changes at the ICC made regulated truckers and their allies fear a series of ad hoc, unconstrained decisions that would create uncertainty about the future and could be worse for them than a new law over which they might exercise some influence. Thus both the advocates and opponents of regulation wanted a new law. Also important were the wide variety of groups in favor of regulatory reform from Common Cause and Congress Watch to the American Conservative Union, Lever Brothers, and the National Association of Manufacturers. It was an issue, unlike, say, the control of air and water pollution, that was both pro-business and pro-consumer. Furthermore, it was an issue that the White House cared deeply about and that attracted the interest of powerful people on the Hill, most particularly Senators Howard Cannon and Edward Kennedy.

Finally, the importance of substantive information was enhanced by the fact that its main results could be presented simply and straightforwardly (e.g. savings of $5 billion–$8 billion annually). Unlike areas such as the regulation of health and safety and the environment, the relevant information was almost entirely economic and was not made complex and uncertain because of scientific and technical unknowns. The data could also be supplemented with anecdotes and stories about circuitous routes, empty backhauls, and regulators' arbitrary distinctions between types of cargoes.

This book is, as Robyn admits, about strategy, not substance or theory. We learn that policy-oriented studies were important, but we do not learn much about what they actually concluded. We learn that a law was passed that partially deregulated trucking, but we have to infer its major provisions from the discussions of strategy. To use the book in a course in public policy one would need to supplement it with the text of the act and with more detailed information on the trucking industry.

At the level of theory the book draws intelligently from modern work on public choice and the political economy of regulation, but does not present major break-

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throughs of its own. However, the author does elaborate and deepen our understanding of interest-group politics by showing that while a theory based on self-interested actors, motivated by financial gain or the desire for reelection, goes part of the way toward explaining what happened in her case study, this framework is insufficient. Also key are the ideological motivations of both lobbyists and politicians and the desire of ideologically-based groups for a visible leadership role as a way to enhance their reputation with their members. In short, the book's main value is as an insightful and detailed case study of the legislative process that is saved from being a mere series of anecdotes by the author's use of a public-choice framework.

My final observation concerns the time that has elapsed since the passing of the act in 1980. An evaluation of its successes and failures would have been useful as an epilogue, especially in light of the fact that *both* the ATA and the coalition members celebrated its passage. Robyn implies that the ATA misread both the implications of the law and likely course of the ICC in the absence of the act. But she raises enough questions to make one wonder if all the predicted gains to consumers have materialized. Perhaps her next research effort will be a companion piece to the book under review that will study the implementation of the act and examine any problems caused by the act's imprecise language of compromise.

SUSAN ROSE-ACKERMAN
Yale University

Managing the Presidency: Carter, Reagan and the Search for Executive Harmony *by Colin Campbell. Pittsburgh, University of Pittsburgh Press, 1986. 310 pp. $19.95.*

Colin Campbell, University Professor at Georgetown University, has written a book on presidential management and the relationship between presidental appointees and the senior executives who run the institutionalized presidential agencies. Campbell takes advantage of his comparative perspective and his prior research on Canadian and British central agencies. In this work he narrows his focus to cover just the Oval Office, and his comparisons cut across administrations rather than nations.

Campbell conducted interviews with 192 officials, including 69 careerists. He includes an appendix that contains an account of how to get interviews with White House staffers, which is most useful. He does not make extensive use of quotes from these interviews, however; instead, he coded the material and created a typology of attitudes about presidential staffing roles that breaks new ground in the field and should be most useful for those who do behavior studies of the presidency.

Campbell provides a good framework to analyze the strategies different staffers use in policy innovation and a fine discussion of presidential management of the economy, which would be ideal for use in courses. He makes a nice point about

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incumbents of the Oval Office making "disastrous decisions because the President didn't know what he was signing on to" (p. 107)—in this case a more prescient point than the author may have realized at the time.

And herein lies the problem with this book. It was researched, written, and published before the Iran-contra arms affair and the discovery that what Louis Koenig called "the invisible presidency" remains alive and well on the Potomac. In both the Nixon and Reagan presidencies (and perhaps in many others) some key assignments have been given to aides who have enlisted non-governmental agents to carry them out. Lines of authority are blurred, funds are laundered to pay for operations, and exactly how much the president knew (and when he knew it) remains in doubt. These assignments may involve "para-legal" authority (that is, orders issued by presidential aides), rather than legal authority, and their constitutionality is often suspect. Campbell could not have known that John Poindexter and Oliver North were running covert operations that skirted or violated the laws, but unfortunately readers today will consider his discussion of Reagan's work habits, control of staff, and organization of his national security apparatus in light of these revelations. Thus the author's contentions that the Reagan administration relies on close teamwork (p. 5), and had strong "internal discipline" (p. 5), and that the President "used his Cabinet and White House resources exceedingly well" (p. 67) is no longer merely a debatable proposition, but a ludicrous one. For political scientists whose focus is on presidential counsels and councils, Campbell's book is a must. But it should be read in conjunction with the Tower Commission report and with such hearings and reports as Congress may produce in its Iran-contra investigation.

RICHARD M. PIOUS
Barnard College

Dwight D. Eisenhower: Hero and Politician *by Robert F. Burk. Boston, Twayne Publishers, 1986. 207 pp. $19.95.*

With mixed success Stephen Ambrose recently tried to penetrate the enigmatic Dwight D. Eisenhower in two massive volumes. Now Robert Burk attempts to do the same in less than 175 pages. Already an established Eisenhower scholar steeped in the roller coaster-like historiography, Burk brings to this herculean task a revisionist perspective. Ike emerges as the nation's second George Washington, a soldier and a statesman who succeeded at both and earned the people's respect and affection. He bridged America's heartland and metropolises; he was typical and atypical—in Burk's words, an "adaptive hero."

Relying on the standard secondary sources, Burk's account of Ike's journey up from Abilene is familiar. He paints a portrait of an intelligent, multitalented Eisenhower who never lost sight of the admirable values instilled in him as a youth,

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especially by his remarkable mother, Ida, and who was driven by the insatiable ambition characteristic of all six brothers. He bridled under his early lack of opportunities for advancement and endured the tragic death of son Icky. Yet as Ida had taught, one must "play the cards the Lord dealt." And what cards they turned out to be! First there was his apprenticeship with Fox Connor in Panama. Then there was Command and General Staff School at Fort Leavenworth and assignment in the Philippines under Douglas MacArthur. And finally there was George Marshall, Torch, and Overlord.

Eisenhower receives high marks from Burk for his generalship during World War II. He demonstrated exceptional skill as a strategist, diplomat, and, not insignificantly, public relations artist. Burk avoids taking sides on the many military controversies that swirled around Eisenhower—the timing of the cross-channel invasion, the Darlan deal, the broad front versus single thrust dispute, the decision to halt at the Elbe, and so many others. But at no time does he question Ike's judgment. Further, with regard to refereeing the countless personality conflicts that plagued the Allied command, Eisenhower comes out with flying colors. He is even cleared of charges of illicit conduct with Kay Summersby.

Burk glosses over the period between 1945 and 1952. About Ike's abiding interest in the White House, however, there is no doubt. He could not resist becoming America's Cincinnatus. Moreover, by the time his campaign began, he had completed his conversion to hard-line cold warriorism. As for Ike's conduct of foreign affairs once president, Burk devotes only 20 pages. He draws on most of the current literature, but adds nothing to it. On balance, his judgment is rightly critical. Yet his treatment of the individual episodes is distortedly superficial.

Given his own expertise, Burk surprisingly pays even less attention to Eisenhower's domestic programs. Indeed, the entire chapter is essentially a summary of arguments previously advanced by Robert Griffith and Fred Greenstein. These sources are necessary but not sufficient. George Humphrey, Herbert Brownell, and Ezra Taft Benson receive only passing mention. Oveta Culp Hobby and Arthur Flemming receive none at all.

Dwight D. Eisenhower contains no new revelations, trenchant analyses, or even memorable quotes. It is a workmanlike synthesis, what one might expect from a biography evidently written for an unsophisticated audience. Serious students will demand more. Perhaps Burk embarked on mission impossible. No one can capture the essence of the elusive and complicated Eisenhower, survey his eventful and event-making career, and evaluate his performance and policies in one brief volume. Burk and Twayne publishers have undoubtedly provided a valuable classroom instrument. The chief benefit for other readers will be the bibliographic essay.

RICHARD H. IMMERMAN
University of Hawaii

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American Women and Political Participation: The Impacts of Work, Generation, and Feminism *by Karen Beckwith. Westport, Conn., Greenwood Press, 1986. 185 pp. $29.95.*

This book is part of a small tide of efforts (including Sandra Baxter and Marjorie Lansing, *Women and Politics* and Keith L. Poole and L. Harmon Zeigler, *Women, Public Opinion, and Politics*) to use the National Election Studies (NES) to learn about gender differences in political orientations and behavior in the post-World War II era. It is thus necessary to set this book in the context of the others. Beckwith's book covers the presidential election years from 1952 to 1976. Baxter and Lansing include 1952 to 1982, although they do not treat every year with equal thoroughness. Poole and Zeigler provide some coverage of presidential and congressional election years from 1970 to 1982, but do the most intensive analysis on the 1980 data.

American Women and Political Participation systematically looks at gender comparisons of political participation, political efficacy, and feminist orientations from 1952 to 1976. Following an initial empirical chapter that looks at simple bivariate relationships, it proceeds chapter by chapter to look at the effects of and to control for employment and occupational status, generations, feminist orientations, and race and class. Its careful organization and systematic presentation make it a valuable resource for researchers and teachers in need of basic information about gender differences in political participation over time. There are some problems that need noting, however.

First, the main point of the book is obscured by contradiction. The book is offered as an explanation of *women's* participation, but most of the analysis is gender comparison, thus the book is about women and men. It begins by saying there really are no (or few) significant, consistent, or substantial gender differences in participation and then proceeds to try to explain gender differences. The last page both reiterates the point about the absence of gender differences and asks why so few women participate.

Second, omissions in the text paired with a 1986 publication later suggest an unfortunate delay in transforming manuscript into book. One misses use of the 1980 NES, especially because the earlier published books included it. Beckwith writes that before school age, child care "defines" the mother's day. This is no longer true for the average woman; a majority of women with children at least two years old are employed. Further, although Beckwith cites a considerable amount of work in the field, the book does not always make full use of what we have learned from earlier studies.

Third, although Beckwith goes beyond mere bivariate analysis, there is too little recognition of the possible effects of variables not taken into account simultaneously. To offer an example, analysis of the effects of number of children does not take account of the related questions of class and age of adult.

The chapter on generational differences is a good attempt that misses its mark. The generations are defined too broadly to provide a good test, and the theoretical

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work nods to Karl Mannheim but does not consider a point that is crucial to his work: the idea of generation units as contrasted to generations.

Although this book is useful, it is also disappointing, particularly at this stage in the field's history. It uses much the same data as many already published works, and it does not push far enough beyond, either empirically or theoretically. It is not, as the book jacket claims, the first to put major assumptions to the test. It does, however, continue a discussion which, as the author recognized, needs further work.

VIRGINIA SAPIRO
University of Wisconsin-Madison

The Flacks of Washington: Government Information and the Public Agenda *by David Morgan. Westport, Conn., Greenwood Press, 1986. 165 pp. $29.95.*

The author quotes a Washington correspondent that he interviewed: "Being assigned here seems to involve answering questionnaires and giving interviews to students, professors and sometimes to colleagues" (p. 47). The remark says much of how far we have come since Douglas Cater prefaced his study on the fourth branch of government in 1959 with the observation that Washington reporters were becoming the objects of curious scrutiny by political scientists trying to figure out the precise role of the press in the nation's capital. An area of inquiry little more than a cottage industry of a few scholars three decades ago is now one of the growth industries not only among political scientists but attracting sociologists, communication scholars, free-lancers, and journalists themselves. Everyone, it seems, writes a book on the functions and foibles of the Washington press corps.

However, David Morgan, senior lecturer at the University of Liverpool, has written more than yet another book on political journalists. His interests focus around a key question that has caught the fancy of a much smaller set of observers, namely, how do Washington correspondents and their official news sources—public information officers in the federal bureaucracy—view and deal with one another on a structured basis. He reports findings on these and related questions in the book's two major sections.

The first, "Micropolitics," reports how information officers view their tasks, reporters view their jobs, and how the interacting groups view one another. The author offers evidence from data bases that include 1982–1983 mail questionnaires and interviews with fifty correspondents of Washington-based national media organizations; with thirty-one public information officers (PIOs, the "flacks" of the book's title) from departments, agencies, boards, and executive offices; and a 1982 content analysis of nine elite U.S. daily newspapers. Morgan's findings are consistent with earlier studies of reporter-flack relations. For example, PIOs monitor the elite media of Washington or New York City more than they do media outlets in other locales; are contacted primarily by telephone; play multiple roles; and

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"measure the costs and benefits of news carefully, with an eye toward a mix of constituencies" (p. 38) that are self-interested rather than devoted to the public good. Reporters gauge as particularly newsworthy stories of government waste, scandal, or incompetence; elite press reporters frequently differ in their views from "regular" beat reporters, etc. Readers will find more novel Morgan's account of changes in media coverage of federal agencies following shifts in presidential administrations. He reports that PIOs readily admit that coverage changes occur, as do attitude changes toward the press. Openness to press and to public, and cooperation of agencies with the press decline with changes in administration.

The second section, "Macropolitics," concerns issues of government-press relations that transcend specifics of how flacks and journalists deal with one another. Using data acquired from interviews conducted in 1978 with twenty-seven members of the White House press corps and with seventeen bureau chiefs and columnists a year later, Morgan documents the decline in the image of Jimmy Carter, as played in dominant story lines, from the "outsider who succeeded" in 1976 to the "outsider who failed" in 1977. A case study of the media coverage of the 1981 air controllers strike provides a point of departure for assessing the news management policies of the Reagan White House as a contrast to those of his predecessor.

The lesson drawn from Morgan is that claims for legitimacy over control of public information no matter what their source—White House, Congress, federal bureaucracy, or the press—should be viewed with skepticism. He urges us to "improve the marketplace of ideas" (p. 148). That improvement may rest less upon good intentions than upon a lesson from Ecclesiastes 1:15: "That which is crooked cannot be made straight; and that which is wanting cannot be numbered."

DAN NIMMO
University of Oklahoma

Institutional Disability: The Saga of Transportation Policy for the Disabled *by Robert A. Katzmann. Washington, D.C., The Brookings Institution, 1986. 211 pp. $10.95.*

The evolution of transportation policy for the disabled over the past decade provides an illuminating case example of the American governmental system grappling with a particularly complex policy issue. All three branches of government—legislative, executive, and judicial—were called upon to play critical roles. No final resolution of the policy issue could be reached by any one branch of government; rather, a number of different positions were presented, debated, and modified over time by the different branches, with each branch bearing some responsibility for the final outcome.

The issue arises from the fact that many disabled persons wishing to travel cannot use conventional bus or rail transit services. Persons confined to wheelchairs are particularly disadvantaged in this respect. Two policy responses to this problem

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have emerged: a rights-oriented approach aimed at making conventional services accessible to disabled persons through addition of wheelchair lifts, ramps, and other devices; and a mobility-oriented approach aimed at providing the most cost-effective form of transportation for the disabled, often in the form of specially-equipped vans or taxis operated on a door-to-door basis. Support for the rights-oriented approach was drawn from Section 504 of the Rehabilitation Act of 1973, which requires that "no otherwise qualified handicapped individual in the United States . . . shall solely by reason of handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activities receiving Federal financial assistance."

The dilemma is that the rights-oriented approach sought by many vocal advocates for the disabled has often proven quite costly (many argue prohibitively costly) compared to the mobility-oriented approach. Federal regulations issued in 1979, which required the rights-oriented approach, were challenged successfully in the U.S. Court of Appeals for the D.C. Circuit by the transit industry, and a revised set of regulations was eventually issued giving local communities considerable flexibility in choosing either one of the two approaches or a combination of them. This court decision was based heavily on an earlier unanimous decision by the Supreme Court that Section 504 did not "impose an affirmative action obligation" on recipients of federal funds.

This book provides a scholarly chronicle of the policy development process, drawing on a large number of primary and secondary sources. The author has taken great pains to report on the motivation and reasoning behind each stage of the process and to illuminate the roles played by the different branches of government. His primary line of inquiry concerns how well the various institutions of government functioned under the pressure of a truly challenging issue. As the title indicates, he concludes that the policy challenge revealed troubling weaknesses in these institutions, manifested in an inability to choose between the rights-oriented and mobility-oriented approaches. Significant institutional failings identified by the author include: fragmentation of responsibility in the committees of the Congress; questionable elaboration of legislative intent in committee reports; excessive regulatory oversight by the Office of Management and Budget; and rulemaking carried out under pressure and with insufficient technical support.

There can be little doubt, however, that the failure of governmental institutions to choose between a rights-oriented and a mobility-oriented approach was rooted in large part in genuinely conflicting objectives of different interest groups and real uncertainty about the costs and impacts of the different approaches. That no "right" answer exists is suggested by the different choices now being made around the country: Los Angeles, for example, has opted for full accessibility of its transit system; Seattle and San Francisco have chosen to make high proportions of their transit systems accessible and to provide complementary door-to-door services as well; and Milwaukee, Pittsburgh, and Chicago are relying almost exclusively on specialized door-to-door services.

The author argues that the many twists and turns in the development of trans-

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portation policy for the disabled are attributable primarily to institutional failure, yet the case is not all that convincing. Many readers are likely to conclude that apart from a few significant shortcomings the three branches of American government discharged their respective responsibilities rather well, and that the tortuousness of the policy development process was due more to the complexity of the issue than to the failure of institutions. Nevertheless, the book provides the kind of careful documentation and analysis needed for each reader to reach his or her own conclusions on the matter. In providing this careful documentation of an extraordinarily contentious and difficult policy debate, the book makes a substantial contribution to the political science literature.

RONALD F. KIRBY
The Urban Institute

The China Connection: U.S. Policy and the People's Republic of China *by A. James Gregor. Stanford, Calif., Hoover Institution Press, 1986. 263 pp. $24.50.*

This is a curious but useful book, parts of which could have been written by Chiang Kai-shek or one of his court. Gregor urges a rational reassessment of the value of the relationship between the United States and the People's Republic of China (PRC). He leaves no doubt that he sees the PRC as useless in security terms and of minimal importance economically. On the contrary, Gregor would persuade us that American interests in East Asia are best served by arming the Republic of China (ROC) on Taiwan. Thus American ideals (democracy and capitalism) *and* American security demand a tilt back toward Taipei.

Gregor sets up straw men who believe that the PRC is developing into a democratic, capitalist society and have grounded American policy on that assumption. He demonstrates easily the absurdity of such a notion, revealing to his satisfaction the need for a more realistic policy. No doubt there are Americans who think China is becoming democratic or capitalist or both, but I have found them neither at policy levels nor among the scholars with whom I work. And certainly the latest campaign against "bourgeois liberalization" has disabused even the Shirley MacLaines among us—none of whom ever made policy.

Gregor's criticism of the PRC and reservations about its strength and reliability are unquestionably valuable. He raises important questions about the validity of "playing the China card," the argument for improving Chinese-American relations as a means of intimidating the Soviet Union. He argues persuasively that the People's Liberation Army (PLA) is too weak to serve as a deterrent to Soviet aggressiveness in East or South Asia. He is skeptical about the reliability of Chinese friendship, acutely aware that Chinese and American interests are not congruent. Were these the only reasons for Chinese-American rapprochement, Gregor's eager-

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ness to trample on Beijing's sensibilities and start building ROC military power might make sense—*if* one also could be persuaded as easily as he is that ROC forces would be a more valuable counterweight to Soviet pressures.

Far less persuasive is Gregor's vision of an enhanced ROC force as a security asset to the United States. He cannot have it both ways: he cannot argue that the PLA, though too weak to deter the Soviets, is a grave threat to Taiwan—and then turn around and argue that Taiwan's forces, not able to defend themselves can easily be built into a power that *will* deter the Soviets. The realism with which he dissects the PLA gives way to bizarre fantasy when he examines the potential role of the ROC.

Moreover, Gregor's appropriate warning that the PRC will serve its own interests, manipulating the United States as best it can toward that end is no less appropriate when applied to the ROC. His Kuomintang-style history of U.S.-ROC relations in the 1940s and 1950s to the contrary, Chiang exploited American policies ruthlessly and without principle. Indeed, we have the files of the ROC Embassy in Washington, deposited at Columbia University with the papers of Wellington Koo, to provide the story in wonderous detail, leaving no place for Chiang's apologists to hide. And if Gregor fears that the Communists in Beijing will someday take advantage of overeager American capitalists, he might also note that the ROC is unyielding in the economic games it now plays with bilateral trade. This is no time to get sentimental, but Gregor's admirable realism, so trenchant when he dissects the PRC, turns to mush when he crosses the straits.

Let's be unsentimental realists and see where American interests rest. Taipei has nowhere to go: the United States gets them—and whatever they have to offer—free. As Gregor contends, the United States does not get much from the PRC that is usable against the Soviets. On the other hand, Americans certainly save a lot of money, energy, and lives being cordial. They are spared the costs of wars like the one they fought against Chinese "volunteers" in Korea or the one they fought all those years they thought they were containing China in Vietnam. At the moment the price is right. As Gregor warns, the situation may change later, but later the United States can readjust its policy as its interests dictate. If the PRC institutes policies that threaten American interests, the United States can give it back in spades.

I share Gregor's reservations about weapons transfers to the PRC and would like to see American businessmen ease their demand for permission to sell nuclear technology to China (on the other hand, the Chinese seem less than eager to buy). Doak Barnett, probably not one of Gregor's favorite analysts, has also urged us to remember the fragility of the relationship between the PRC and the United States as long as the Taiwan issue festers. And I, no less than Gregor, am irritated by the blatant anti-Americanism of Chinese propaganda in the midst of the current campaign against "bourgeois liberalization." I find myself no more receptive to that nonsense than I was to years of Kuomintang nonsense about the American betrayal of the ROC. Gregor's concern for American interests would be more

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credible if it did not keep dissolving into concern for the interests of his friends on Taiwan.

WARREN I. COHEN
Michigan State University

Fire Across The Sea: The Vietnam War and Japan, 1965–1975 *by Thomas R. H. Havens. Princeton, N.J., Princeton University Press, 1987. 329 pp. Cloth, $37.50; paper, $17.50.*

Every month for most of the postwar years, the JIJI news service has asked Japanese citizens in representative cities across the nation, "What nation do you like the most?" Until 1965 at least a majority of the respondents chose the United States. By 1975, though, only 22 percent of the respondents identified with the United States. What was the cause for this drop? The Vietnam war. The Vietnam war made some Japanese rich—and that disgusted other Japanese. The author calculates that the war allowed Japanese firms to earn at least an extra $1 billion a year. It also accelerated Japan's recovery from the 1965 slump, provided seed money for young industry, and smudged the international payments ledger where it should have shown that manufacturing trade with the United States had turned in Japan's favor. "[M]ost ironic: Halfway through the war, Japan replaced the United States as the leading economic power in Southeast Asia" (p. 96).

The Vietnam war nurtured a new Japanese left. Wanting to attract citizens normally a little frightened of politics, this new left turned away from the student radicals, who were both violent and elitist. Hoping to persuade Americans to return to their ideals, the new left opposed the old doctrine-dominated left, who saw and wanted to smash away at American imperialism. Popular revulsion towards the Vietnam war brought strength to the new left. But its leaders showed little concern with the accretion of formal political power and no concern with building a political structure. The stronger the new left, the more fragmented the whole left—and the more likely that the conservatives would continue to rule. Prime Minister Sato Eisaku was able to establish a postwar record for time in office.

The Vietnam war brought the Japanese face to face with their own racism. For over a century, the Japanese had argued whether they should escape from Asia or should lead Asia. The Vietnam war presented them with the expectation that they should accept refugees from Asia. At first, they said no. Then they agreed to finance the settlement of refugees elsewhere. Finally, they agreed to establish an immigration quota—5,000. It has yet to be filled.

The Vietnam war brought Okinawa into prominence, since from its bases flew the planes whose bombs made white blossoms on Japanese television. Havens credits Prime Minister Sato with persuading the Americans to return administration to Japan. Sato helped. The Americans had already recognized that the islands would have to be returned when the Japanese government showed itself willing to match and better the Congress in giving aid to the islanders. That happened

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in the early 1960s. Lots happened in Japan during the decade, 1965–1975. The author has skillfully used the Vietnam war as a vehicle to explain these happenings. But his artistry has obscured this question: Doesn't hanging the history of a nation on a foreign war—a war that Japan neither started nor resolved—somehow distort the history of that nation?

By 1965 unprecedented prosperty had come to a society conditioned to poverty. Both values and behavior changed. Elders lectured the youngsters about the importance of work. The youngsters talked about individual rights and Saturdays off. Both generations had trouble understanding each other. By 1965 television sets were in the homes of 95 percent of the city dwellers and 89 percent of the farmers. The Japanese began building high speed highways between their cities. There was an explosion in education opportunity: Almost everyone attended high school, before only half had; 38 percent attended university, before only 10 percent had. In sum, social horizons expanded, social distances diminished.

In the book's last sentence, the author concludes, "The war in Indochina set in motion the process that gradually diminished America as a model for national emulation in Japan . . . ." Considering the social change that took place in Japan during this decade, I think I would conclude that in spite of the war in Indochina, Japan continues to assume the thought patterns and adopt the social solutions found in American society.

NATHANIEL B. THAYER
School of Advanced International Studies
Johns Hopkins University

East Asian Security and the Trilateral Countries: A Report to the Trilateral Commission *by Masashi Nishihara. New York, New York University Press, 1985. 111 pp. $25.00.*

This very short volume is a worthwhile addition to the libraries of Asian specialists and policy generalists with an interest in security issues. The author is one of Japan's most well known and highly respected defense experts. He has written a basic source book, but its value as a research tool is somewhat undermined by the fact that it does not have an index. The book does have a very good appendix, however, which provides extensive statistical information relating to the East Asian region. Among the useful information provided is a table comparing the ages and tenure in office of the leading policy makers in fifteen East Asian governments and a list of Asian governments that have signed major multilateral arms control agreements between 1925 and 1983.

The report provides readers with a trilateral perspective on issues of East Asian security that are often analyzed in a narrower context in other volumes. A special advantage of the trilateral perspective is that it alerts us to potential disputes between the United States, Japan, and the nations of West Europe on security issues in the East Asian region. For example, "Indochina seems to require even closer

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trilateral attention, for there are no common positions except on refugees. On the Kampuchean issue the postures of the trilateral countries are in near disarray" (p. 72).

I was somewhat frustrated at times by the very general statements in the book—an inevitable defect in a report that attempts to survey such a complex topic as East Asian security in about 70 pages of text. On some occasions, the generalizations are so broad—"An appropriate level of Sino-American military cooperation will be beneficial for East Asian and trilateral security" (p. 71)— as to lose all policy relevance. But these defects are outweighed by the wealth of information and analysis that Nishihara has succeeded in packing into this small book.

Since the book was published in 1985, some of the material is already a bit dated. The author's comments on the political scene in the Philippines have of course been overtaken by events. And Nishihara's depiction of the Soviet Union as a unidimensional Asian actor capable of little more than military intimidation in its dealings with East Asian governments seems particularly dated in light of Mikhail Gorbachev's diplomatic offensive in Asia since May of 1985. In general, however, the book is sufficiently well written and well researched that most of the analysis is still relevant and helpful.

The most original and thought-provoking section of the report is Nishihara's discussion of the prospects for arms control and confidence building in East Asia. The author compares the Central European and East Asian theaters in terms of their geostrategic and political characteristics and the types of nuclear systems that are deployed in each region. He concludes that the circumstances that permitted some progress in arms control and confidence building in Central Europe are much less in evidence in East Asia. I think Nishihara is overly pessimistic in his assessment of the prospects for arms control and confidence building in East Asia—particularly in view of developments since 1985, such as improvements in Sino-Soviet relations, Chinese and Japanese initiatives aimed at tension reduction on the Korean peninsula, and the Soviet Union's sponsorship of a conference on security and cooperation in Asia. But the author argues his case very well, and his cautionary comments serve as a brake against the temptation to exaggerate the significance of the limited steps that have been taken thus far in the direction of arms control and confidence building in the East Asian region.

DOUGLAS STUART
Dickinson College

The Prevention of Genocide *by Leo Kuper. New Haven, Conn., Yale University Press, 1986. 286 pp. $22.00.*

Almost forty years ago, the United Nations adopted by a unanimous vote the Convention on the Prevention and Punishment of the Crime of Genoicide. Since then, nearly 100 governments have ratified the convention and yet, despite binding in-

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ternational law, close to a dozen episodes of genocide and mass murders have punctuated the global scene, mainly in broad sections of Asia and Africa. Clearly, the international community has failed to cope with the most elemental of human rights—the right to life—even as the threat of additional massacres perceptively mounts.

The Kuper work constitutes the first systematic study of why the genocide treaty has failed to stem the the tide of violence and death against minorities during the last two decades in a variety of countries including Indonesia, Nigeria, Pakistan, Burundi, and East Timor. Close examination of each of these holocaustal traumas and others, too, is a hallmark of Kuper's careful research. Several factors are singled out for specific criticism, including the inadequate language of the treaty itself and its failure to create effective judicial and enforcement machinery. But the principal cause, Kuper emphasizes, is the overriding concern of nation-states to preserve their absolute sovereignty and their resistance to the creation of transnational human rights mechanisms that might intrude into domestic matters.

Even as the author is sharply critical of untrammeled sovereignty and is keenly aware of how the thesis of humanitarian intervention can be comprehended only through the mundane and clashing strategic interests of powers, especially the superpowers, he is also cognizant of modest and limited progress in the international community in transcending national authority. Kuper's discussion of recent positive ministeps in various UN agencies, notably the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, is thorough and revealing. Especially noteworthy is the progress in the international community to deal with apartheid.

Kuper does not restrict the scope of the work to analysis; it is prescriptive as well. Stressing the importance of non-governmental organizations, he proposes several strategies for preventing future genocides. He would create an early warning system to monitor threatening situations and to alert international public opinion. Since he believes that genocide is largely a function of self-determination aspirations of minorities, Kuper vigorously urges the establishment of a technical advisory service to propose constructive steps that the involved parties might undertake.

Given the nature of the UN, comprising largely authoritarian and totalitarian regimes, Kuper's proposed strategies are excessively optimistic. Emblematic of the prevailing bias is the notorious "Zionism equals racism" resolution of November 1975, a continuing source of anti-Israel and anti-Jewish acts. The certain tendentiousness in the work becomes far more pronounced when Kuper ventures onto the subject of peace and arms control. He enters into this complex and extremely difficult area by contending that future war itself is genocidal. Aside from the highly questionable character of this thesis, the resulting hostile comments about the Reagan administration's arms-control policy assumes an embarrassing character.

Regrettably, Kuper apparently did not use or have access to a rich lode of Raphael Lemkin's writings deposited at the New York Public Library. Particularly valuable is Lemkin's unfinished manuscript on the "History of Genocide." Its detailed

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examination of episodes of genocide throughout history could have clarified the meaning of the term and its stereotyped demonological sources, a subject insufficiently developed in this important volume.

WILLIAM KOREY
B'nai B'rith International

Social Movements and Political Power: Emerging Forms of Radicalism in the West *by Carl Boggs. Philadelphia, Temple University Press, 1986. 288 pp. $29.95.*

Contrary to a widely held view, social movements in West Europe and the United States that flourished during the radical surge of the late 1960s and early 1970s did not simply wither away later in the decade. Instead, there was a diffusion of the ideas and methods of the youthful protesters of that era. In a volume that skillfully integrates theoretical analysis and historical description, Carl Boggs (who has previously written on Antonio Gramsci, Eurocommunism, and radical strategies) analyzes the concerns of the new social movements, their prospects, and their overall significance. Boggs writes from a position of critical support for the new movements' goals of feminism, ecology, pacifism, and radical democracy. However, he regards new social movements as displaying crucial theoretical shortcomings, and he laments the wide disparity between their goals and achievements.

Boggs first surveys the theoretical aims of the new social movements that distinguish them from established political parties within capitalist democracies and from the Marxist left in these nations. He argues that new social movements oppose some of the core values shared by Marxism and liberalism, including a commitment to statism (centralized, bureaucratic modes of decision making) and productivism (which assigns highest priority to ever-increasing economic growth). Boggs defends the new social movements for these positions but faults them for according inadequate priority to two major concerns of Marxism: the necessity to capture and transform the state, as well as to democratize capitalist property relations.

in order to assess the political impact of new social movements, Boggs studies three political agencies that have sought to represent their demands and constituencies: the Eurosocialist governments of France, Greece, and Spain; the new populist movement in the United States; and the German Greens. All three have sought to promote radical change within the framework of capitalist democracy. However, Boggs argues, Eurosocialist governments and populist movements that were elected to office in some localities in the United States (he focuses on Santa Monica) failed to maintain a commitment to radical change and participatory democracy as they moved closer to power. Only the German Greens have resisted the fruits of power, but that may be because they have tasted so few.

Boggs's account is informative, insightful, and provocative. His enthusiasm for new social movements does not blind him to their shortcomings. He correctly

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stresses that new social movements have thus far failed to resolve the dilemma of state power: they have either avoided the issue by a localistic approach or embraced the dominant statist logic—which also signifies deradicalization. (Indeed, he might have strengthened his argument by referring to Robert Michels's classic analysis).

My major reservations regarding Boggs's fine account are not what he studied but what he has neglected to study. First, he assumes, virtually without analysis, that social movements are on the left of the political spectrum. But one of the important features of the past several years in the United States is that "populist conservatives" have appropriated from leftist social movements some of their key themes (defense of autonomy, community, liberty) and methods (direct protest). A full account of social movements and political power would require analyzing reactionary, along with progressive, tendencies among social movements.

Second, the social movements that Boggs does study have probably had their greatest impact in ways that he fails to analyze. Given the importance that social movements ascribe to social relationships in civil society, one would expect Boggs to evaluate their influence in reshaping values and social life. He contends that fundamental change cannot occur without restructuring the state and capitalist property relations—that is, without political change. However, Boggs may measure political influence too narrowly. While new social movements have not achieved control of the state, they have been remarkably successful at reshaping political party programs, policy agendas, and public values. Of course, nowhere has this produced radical structural change. But, especially since many new social movements oppose comprehensive political visions and statist strategies, a full account of their political impact would involve assessing their more limited and indirect achievements. At the least, Boggs needs to analyze how the state can promote political change without reinforcing statism. With that said, and although Boggs does not elaborate his position sufficiently, I share his view that new social movements cannot achieve their goals without allying with older social movements (read "organized labor") and assigning priority to democratizing the state and property relations. But, as Boggs would agree, all this is easier said than done.

MARK KESSELMAN
Columbia University

Sentinels of Empire: The United States and Latin American Militarism *by Jan Knippers Black. Westport, Conn., Greenwood Press, 1986. 240 pp. $35.00.*

Despite the diversity among Latin American nations, most analyses of their postwar politics fix upon the apparent synchronization of continental trends. While the current wave of civilian governments has yet to inspire a commanding interpretation, scholarly attention still dwells on the military regimes of the 1964–1973 wave. The most influential early characterization of those regimes emphasized that they

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sought to break political logjams blocking the course of efficient modernity: their authoritarianism was unexpectedly bureaucratic rather than merely despotic, and their economic policies envisioned industrial modernization rather than agrarian stagnation. This book, while drawing on that interpretation, emphasizes the extent to which external forces, more than a common dilemma, unified continental politics. It implies that an intrinsically centrifugal Latin America merits treatment as a continental unit largely because U.S. foreign policy has constricted governments in uniform ways in order to guarantee conservative, pro-business policies. Ironically, the United States has acted largely through the self-proclaimed guardians of national integrity, the military.

The first half of the book concerns postwar politics. The kernel of its argument (summed up in pp. 110–112) is that economic problems, foreign pressure, and a new "internal cohesion of the military" all contributed to the military interventions of the 1960s and 1970s. Continuing "economic stress," internal cleavage within the militaries, and a different set of foreign pressures (in part the Carter human rights policy) contributed to the withdrawal of the military from office in the late 1970s. Of the factors, "external pressure appears to be the strongest predictor of the direction of change," for whether economic crisis leads to a change in government "often depends on the predilections of the U.S. government."

The first five chapters illustrate this thesis, largely through brief political chronicles of national events. They sketch U.S. foreign policy from the Monroe Doctrine through the Alliance for Progress. They then concentrate on the political rise of the Latin American military in the 1960s, military policies once in office, and the withdrawal from office in the 1970s. While these chapters exemplify trends with a catalogue of examples from almost every nation, they cover the cases of Brazil, Bolivia, Peru, and Chile most thoroughly. They do slight the significant case of Argentina.

The second half of the book emphasizes American culpability for current Central American militarism in order to criticize the inconsistent, weak policies of Carter and the consistently bad policies of Reagan. Here the book is strongest in inventorying the swift and palpable shift of American policy upon Reagan's rise and the consequences for Central America.

The book speaks more to a popular, than to a scholarly, audience. It is lightly footnoted and has no bibliography. For novices, it provides a wide-ranging introductory sampler of recent military politics in Latin America. Specialists in Latin American military studies will find tidbits of anecdote drawn from the author's interviews, as well as a version of the obscure maneuverings surrounding the succession to Brazil's President Costa e Silva in 1969 (p. 94), and an allegation that the U.S. Drug Enforcement Administration took over the controversial police training programs banned in 1974 (pp. 70, 136).

DAIN BORGES
University of Pennsylvania

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Reference Books and Source Materials Received

American Defense Annual, 1987–1988 *edited by Joseph Kruzel. Lexington, Mass., Lexington Books, 1987. 387 pp. $16.95.*

The American Presidency: A Bibliography *by Fenton S. Martin and Robert U. Goehlert. Washington, D.C., Congressional Quarterly Inc., 1987. 506 pp. $75.00.*

American Presidents: A Bibliography *by Fenton S. Martin and Robert U. Goehlert. Washington, D.C., Congressional Quarterly Inc., 1987. 756 pp. $125.00.*

The American Woman, 1987–1988: A Report in Depth *edited by Sara E. Rix. New York, W. W. Norton, 1987. 350 pp. Cloth, $18.95; paper, $7.95.*

Encyclopedia of Governmental Advisory Organizations, 1988–89, 6th ed. *edited by Denise M. Allard and Donna Batten. Detroit, Mich., Gale Research Co., 1987. 1207 pp. $450.00.*

Handbook of Latin American Studies No. 47: Social Sciences *edited by Dolores Moyano Martin. Austin, Tex., University of Texas Press, 1987. 810 pp. $65.00.*

Index to International Public Opinion, 1985–1986 *edited by Elizabeth Hann Hastings and Philip K. Hastings. New York, Greenwood Press, 1987. 655 pp. $145.00.*

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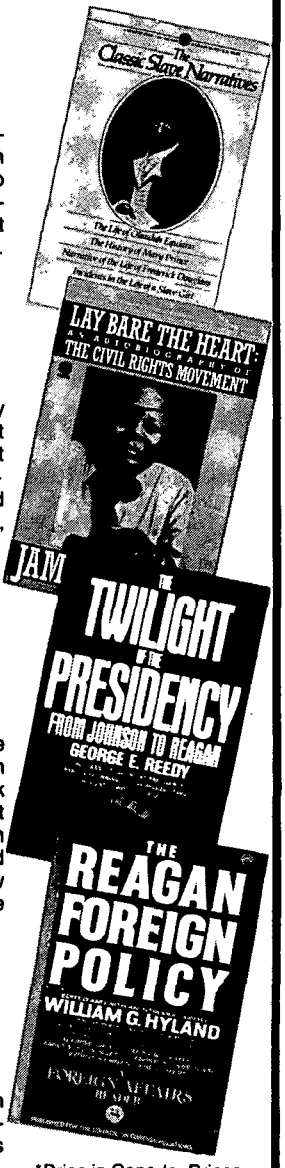
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